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No. XVI.

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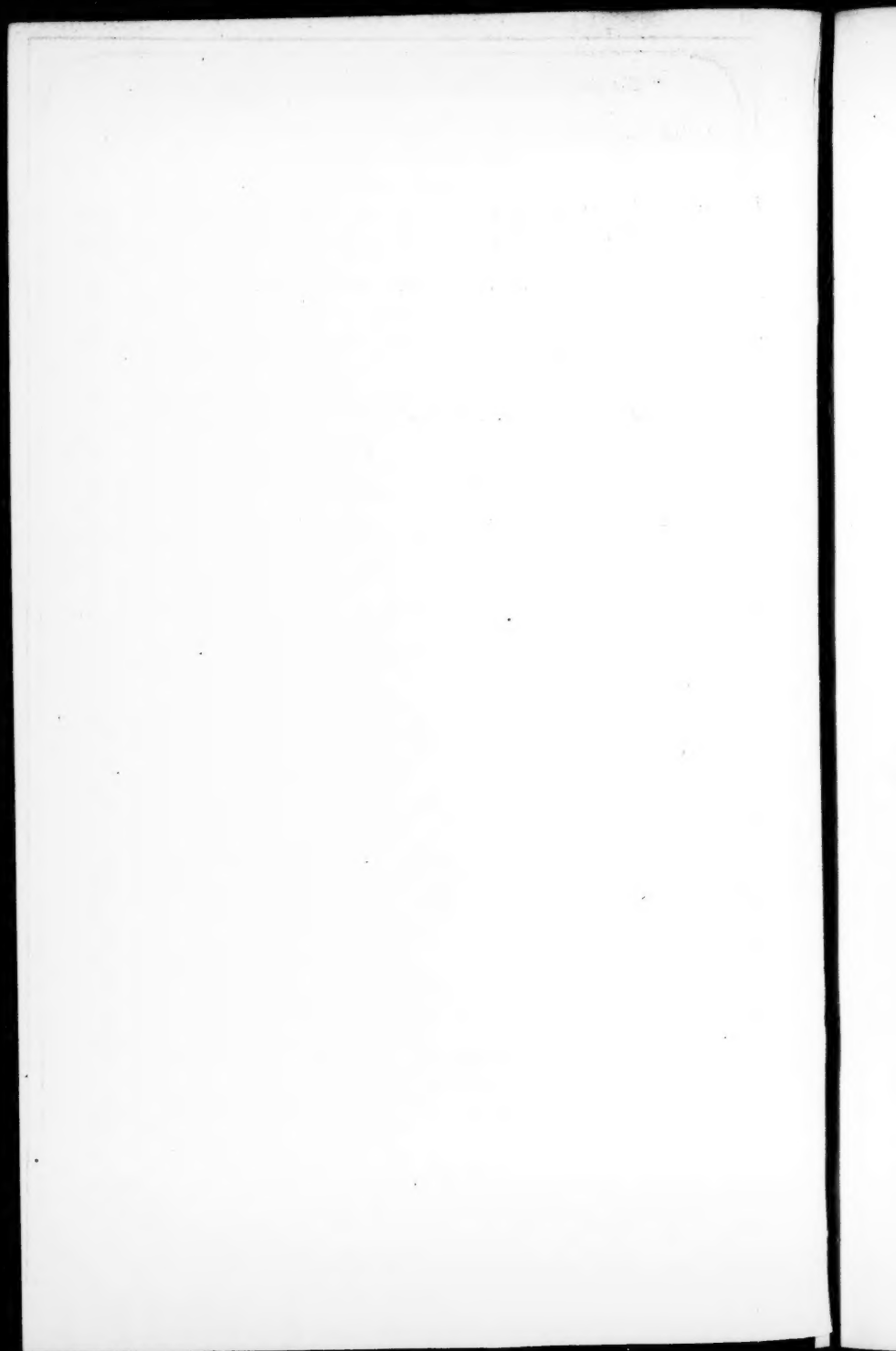
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# THE NATIONAL REVIEW.

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APRIL 1859.

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SIR E. B. LYTTON, NOVELIST, PHILOSOPHER, AND  
POET.

*The Novels and Romances of Sir Edward Bulwer Lytton.* 20 vols.  
London: Routledge and Co. 1858.

*What will he do with it?* 4 vols. Edinburgh and London: Blackwood and Sons. 1859.

*The Poetical and Dramatic Works of Sir Edward Bulwer Lytton.*  
5 vols. London: Chapman and Hall.

*What will he do with it?* and *My Novel* are Sir Bulwer Lytton's last and best works. This is no small distinction. It is a remarkable thing for a man to write some twenty books of imaginative fiction, and yet to retain a vigour of mind and a freshness of imagination capable of making new efforts which not only equal but surpass the first fruits of his genius. It is true these works and *The Caxtons* are not so much his own as some of his previous writings; but perhaps they are not altogether the worse for that. Grafted on a stock of Sterne or Dickens, they flourish with a new energy, and bloom with a fairness and completeness which the scion on its own roots had never attained to. *Pelham* alone of his earlier works enters into rivalry with his last two novels; while it contrasts with them in being preëminently his own. A first work—for *Falkland* was but an abortive attempt—is almost always more characteristic than any later one of the mind of the writer. There he does not spare himself; he brings into play all his energies, is lavish of all his resources, and gives a glimpse of every facet of his mind. His powers may afterwards develop in particular directions, and the proportions originally indicated no longer be

preserved ; but the man himself and the characteristics of his genius will generally be more compendiously illustrated in the first work which really has called out his full powers than in any subsequent one. And since *Pelham* first startled and pleased the world of novel-readers with its brisk witticisms, its sharp sarcasms and lively caricatures, its clever descriptions and skilful narrative, and annoyed them by its hardness, its affectations, and its pseudo-sentiment, every subsequent work has reflected the same merits and the same defects. But the circle of merits has widened, if that of defects has not contracted. What a world of patient industry, what an indefatigable striving to make the most of his vocation, what an uphill energy all these novels display ! Never was man more true to his calling of artist than Bulwer has been. No hasty slipshod productions have ever disgraced his powers. The love of fame is his darling passion ; but no success has ever deluded him into believing that the wreath was safely grasped, and that he might sink into indolent security. Much of this zeal is due, no doubt, to the high estimate which the author has formed to himself of the influence and position of a novel-writer. He seems really to have persuaded himself that to write good romances is the highest achievement of the human intellect ; possibly inferior to that of producing a great epic poem, but certainly by no other effort to be rivalled in its beneficial influence, or in its claims upon the gratitude of mankind. It is natural for a man somewhat to overrate the importance of his own sphere of activity ; but it is obvious enough that Sir Edward Bulwer Lytton's judgment has been led further astray than it should have been by the fact that he has been successful in light literature, and attempted at least to write an epic poem. He exaggerates preposterously the influence of a novel-writer. He makes the wide diffusion which naturally belongs to entertaining writing, and the permanence which is inherent in printer's ink, too much the measure of the merit of a writer. An artist in written words owes much to the materials in which he works ; and this is to be taken into account when we judge of different classes of minds by the results of their labours. It requires a far higher mind and nature altogether, faculties better balanced, wider reasoning powers, broader energies, more exact and extended knowledge, and a more capacious and active intellect, to be a great statesman than to hold any but the very highest places in the hierarchy of literature : but the name and the thoughts of even a moderately good novel-writer will be, and long remain, familiar to a large number of minds ; while the renown of the statesman is merged in new claims to attention as soon as he ceases to have a personal

control over affairs. His name, indeed, may survive, but his labours perish from remembrance, as one wave yields to another, and its force is only seen in the gradual advance of the whole tide. Modern experience has proved, that the power of expressing feelings and reproducing character with a truthfulness and skill greater than Sir Edward Bulwer Lytton has attained to, is any thing but a rare gift, and it is the fashion to accord it a place much higher than that to which either its rareness or its intrinsic value entitle it. And not only the artist but his work is apt to be over-estimated, at least in one direction. It is the high function of art to refine and elevate the mind; to raise us above base pleasures and low-thoughted cares; to make beauty familiar,—beauty, whose gracious privilege it is that something of herself shall pass into those who habitually contemplate her. But the moving power of life—the will—art has little power to influence, and the artist mistakes his aim and arrogates too high a function when he assumes for his arbitrary creations the power to mould the heart and guide the actions of men. Realities alone have this power; and art only so far as it reproduces actual existences, past or present, or at least is believed to do so. The life of a great man, the experiences of a living spirit, have a powerful influence on other minds; they excite sympathy, admiration, emulation; the records of other men's actions control our own, the sight of their activity stimulates ours; their patience makes patience easier to us; their fortitude strengthens our power to bear. Is it so of the creations of the poet? We doubt it. Sometimes, indeed, consummate genius seems to introduce us to actual lives; but even then it has a less power over us for practical consequences than when some dauber heightens the colouring of facts. Has *Hamlet* or *Jack Sheppard* produced the greater number of actions?

We approach every work of art in two ways—either in sympathy with the artist, or in sympathy with the subject of his art; the two feelings mingle, and it is with a mixed admiration of the skill of the master, of the beautiful whole he has evolved, and of pity for the imploring mother, that we gaze on the statue of Niobe. But the mode in which we indulge our emotions under the influence of a work of art has, and always ought to have in it, something different from that stir of the feelings which acts immediately and powerfully upon the will. We do not say it cannot influence the will, or that it never does; but that in most men, and most in those who are capable of the highest pleasure in art, it is a sort of movement in subordination to the æsthetic faculty, a sort of voluntary submission to emotion with an undefined consciousness that it is not

pure and simple feeling we experience, but feeling excited for the sake of the pleasure there is in the movement of the feelings. We know it is not real, we know it does not demand action, that with all its vividness the poet's creation is a fantasy. When, in that scene which for appalling suspense is the masterpiece of the master-poet,—when Macbeth “towards his design creeps like a ghost,” and his wife stands in his absence whispering her strained anticipations of the event,—our hearts, it is true, swell in our breasts, our blood stands still, we cease to breathe; but our instinct is not to rush forward and prevent; our excitement, however great, is one which permits us quietly to abide the issue. It is only the ignorant man who thinks Garrick in Richard the Third is a villain; and in proportion as we lose the sense of the presence of the controlling art, does the sculptor, the painter, or the poet exercise a lower influence upon us. It may be even said that the simple excitement of the feelings, unaccompanied by the sort of intellectual contemplation which mingles with their movement in every legitimate enjoyment of a work of art, is rather hurtful than beneficial. For the true end of emotion is action, and to raise emotions and let them sink undirected to their purposes is weakening to the will and exhausting to the feelings themselves. Pruriency is a degraded word; but some analogous word, applicable to the whole range of moral sentiments, would express the temper which takes pleasure in what we describe. Sentimentalism is a part of it. But art, as we have said, interposes a sort of intellectual screen between the passion and the will; and this is the true sense in which art chastens the passions. It is not that sympathy with fictitious emotions refines their general exercise in the man who has happened to read *Othello*; it is that the passion which has been raised in him while he reads is a chastened passion, one detached from its natural alliance with action, and experienced with the consciousness that it is so detached. When we consider, however, how much of our light literature seeks its hold upon the reader, not in the poetic presentment of feeling, but in the attempt to raise the actual feeling, and how vast a number of readers there are who find their pleasure in the mere emotion,—in a sort of titillation of the heart at once objectless and untransmuted by the influence of art,—we must make some deduction from the ennobling influence which the enthusiasm of Sir Bulwer Lytton somewhat too largely ascribes to the study of novels.

There are doubtless other resources within the scope of prose fiction by which it may inform and elevate its readers. It may be made a treasury of the author's wisdom; it may from its fidelity to nature give us fresh knowledge of the world

about us. It is Sir B. Lytton's ambition to give the world the full advantages of his art in both these directions; it is his misfortune to be but indifferently qualified for so doing. Nature has not endowed him with the power to think deeply or justly, or to see with a clear eye and reproduce with a faithful imagination. She meant him neither for a philosopher nor a poet; and it is to be regretted that he should always have sought to make most prominent the most defective sides of his genius. Patiently to endeavour to supply the deficiencies of our nature is doubtless laudable; to give prominence to them is unwise. Sir Bulwer Lytton is very unfortunate in this respect. He is determined to be what he is not; and his readers suffer for it. Even in his prefaces you hear him screaming, "*I will be a philosopher; I am a great poet;*" and his only difficulty as to those who disagree with him is as to whether they are most knave or fool. It is a standing puzzle to him to decide whether it is the ignorance or the malignity of his critics which blinds them to his merits in these respects. It is perhaps this constant straining after a false position which more than any one thing gives to his works a certain air of charlatanism. Of course we do not mean that he is destitute of imagination, or incapable of reflection; but he is not gifted with the higher kinds or degrees of either poetic insight or poetic expression, and it is rarely indeed that his thoughts are at once clear and profound. Yet he has a great affluence of mind within certain limits, and a great skill in making the most of his resources. The water is not deep, but abundant enough; the mischief is that the bottom is muddy, and he will always be stirring it. Closely connected with these deficiencies is the subservience of all he writes to display. In spite of every thing that is urged in his prefaces as to the moral and philosophical designs of his various works, it is impossible to read them without feeling that these designs yield not only to the exigencies of life-like representation, but are too often entirely subordinated to the more immediate and less defensible one of brilliancy of effect. Philosophy and poetry are not valued for their own sake; they are machinery and materials for turning out fine writings. No man who really wished to discover truths, who really had an insight into nature, could deal with language in the way Sir Bulwer Lytton does. It is not uncommon for him to make a grandiloquent assertion, which you may exactly transpose, and it shall be impossible to say in which form it is the more false or the more trite. We are told, for instance, in the last novel, that, "Let a king and a beggar converse freely together, and it is the beggar's fault if he does not say something which makes the king lift his hat to him." Examine such an asser-



tion, and it is mere wind; or, if it have meaning, it is false. What command of mental resources have beggars in general which should induce the respect of kings? And, granting that it only depends on themselves to have and exercise them, they would not educe this sort of testimony to their value. We don't lift our hats to men for what they say; it is for what they are. The phrase would be more true read backwards: "Let a king and a beggar converse freely together, and the mere sayings of the king can never make the beggar lift his hat to him." He tells us that "all faculties that can make greatness contain those that can attain goodness." "Nothing," we learn in another place, "is more polished, nothing more cold, than that wisdom which is the work of former tears, of former passions, and is formed within a musing and solitary mind." Nothing can be less true than that former tears, former passions, and musing habits, have a tendency to make wisdom cold; rather the reverse. It depends on the other features of the character; and this is an illustration of the nature of a great many of Bulwer's pseudo-philosophical observations. You can't say whether they are true or false; there is a want of legitimate consequence in his assertions; they are logically incomplete. If I say, "Men in brown clothes eat large breakfasts," or, to use language more in keeping with that of our author, "The arrayed in fuscous integuments is the devourer of the matutinal repast," I hazard nothing. I seem to say something, but in reality I say nothing. I do but give my reader a choice whether I say an untruth or a truism. It would be false to say that all men in brown clothes eat large breakfasts, or that the browner a man's coat the greater his appetite; but my real expression, though it conveys this sort of impression to the careless reader, may be equally well construed to speak only of some men, and then fades into a harmless truism. So we are told in *What will he do with it?* that "Genius and Resolve have three grand elements in common,—Patience, Hope, Concentration." What a world of confusion of thought is displayed in that little sentence! The very selection of the two things for comparison bears evidence of a mind not particular as to the clearness of its own operations; and as to the force of the assertion, not one of the three qualities is necessarily inherent in either of the two things between which they are asserted to form a ground of common nature. The vanity of mind which condescends to this sort of sham thoughts is like that of the person which submits to the adornment of paste brilliants; they are not only unreal, but so very cheap. Even the particular observation in hand admits of endless multiplication. We may say, Intellect and hesitation have three grand elements in



common, — doubts, difficulties, and vacillation ; or, Men and running have three grand elements in common,—legs, exertion, and progression ; and so on *ad infinitum*.

But we have not space to illustrate at any length the peculiar felicities of our author's philosophical observations. The discussion on knowledge between the Parson, Riccabocca, and Leonard, in *My Novel*, affords perhaps the most compendious example of them. The peroration is an awful example of rash predication. After taking great pains to establish that knowledge is not power, the Parson goes on to ascribe St. Paul's self-devoted activity to the possession of it, compliments it as a "grand presence" and an "indomitable energy," and ends by calling it the following great variety of things and influences :

"Behold, my son ! does not Heaven here seem to reveal the true type of Knowledge,—a sleepless activity, a pervading agency, a dauntless heroism, an all-supporting faith ?—a power—a power indeed,—a power apart from the aggrandisement of self,—a power that brings to him who owns and transmits it but 'weariness and painfulness ; in watchings often, in hunger and thirst, in fastings often, in cold and nakedness,'—but a power distinct from the mere circumstance of the man, rushing from him as rays from the sun ; borne through the air, and clothing it with light,—piercing under earth, and calling forth the harvest ? Worship not knowledge,—worship not the sun, O my child ! Let the sun but proclaim the Creator ; let the knowledge but illumine the worship !"

It can scarcely be necessary to observe that, though knowledge may without any great strain be said to be power, as furnishing the amplest machinery for power to use, the one sense in which it is not power is in that of being an "energy."

There is a mass of assertion in Bulwer's writings which it is impossible to controvert because it is impossible to assign it a definite signification ; and it is not worth any human being's while to elicit the various meanings which may be hypothetically assigned to it, and to ascertain if any one of them be true. Sometimes he is good enough himself to assign a plain meaning we should have had difficulty in eliciting for ourselves, as in the following fine writing, where, as usual, he is connecting things which have no true interdependence ; for it is something apart from genius which makes it either modest or utilitarian :

"Genius, that, manly, robust, healthful as it be, is long before it lose its instinctive Dorian modesty ; shamefaced, because so susceptible to glory—genius, that loves indeed to dream, but on the violet-bank, not the dunghill. Wherefore, even in the error of the senses, it seeks to escape from the sensual into worlds of fancy, subtle and refined. But apart from the passions, true genius is the most practical of all

human gifts. Like the Apollo whom the Greek worshiped as its type, even Arcady is its exile, not its home. Soon weary of the dalliance of Tempé, it ascends to its mission—the Archer of the silver bow, the guide of the car of light. Speaking more plainly, genius is the enthusiasm for self-improvement; it ceases or sleeps the moment it desist from seeking some object which it believes of value, and by that object it insensibly connects its self-improvement with the positive advance of the world."

It is characteristic of the philosophic observations with which Sir Edward Bulwer Lytton adorns his works, that the more you examine them, the less they yield you. To skim over his novels is a pleasant recreation; to read them with attention and a serious effort to penetrate to that deeper meaning which he insists is there, is one of the most wearisome and profitless labours man can engage in. The thoughts of a great poet are like the stars in heaven. At the first glance they seem but shining adornments of the sky; but the more you penetrate their secrets, the vaster grow their proportions, and the deeper the significance of their being. The lucubrations of Bulwer may be compared to the illuminations of Vauxhall. They seem bright as the stars at a little distance; but go nearer and nearer, and they prove to be a modicum of rag and oil in a coloured glass. They shine but to ornament the place in which they are hung, and light up only blind alleys and circumscribed commonplace pathways. Read the concluding sentences of *Ernest Maltravers*:

"Here ends the First Portion of this work: it ends in the view that bounds us when we look on the practical world with the outward unspiritual eye—and see life that dissatisfies justice,—for life is so seen but in fragments. The influence of fate seems so small on the man who, in erring, but errs as the egoist, and shapes out of ill some use that can profit himself. But Fate hangs a shadow so vast on the heart that errs but in venturing abroad, and knows only in others the sources of sorrow and joy.

Go alone, O Maltravers, unfriended, remote—thy present a waste, and thy past life a ruin, go forth to the future!—Go, Ferrers, light cynic—with the crowd take thy way,—complacent, elated,—no cloud upon conscience, for thou seest but sunshine on fortune.—Go forth to the Future!

Human life is compared to the circle—Is the simile just? All lines that are drawn from the centre to touch the circumference, by the law of the circle, are equal. But the lines that are drawn from the heart of the man to the verge of his destiny—do they equal each other?—Alas! some seem so brief, and some lengthen on as for ever."

This seems to have, and indeed has, a sort of meaning. But try to get closer to it, sift the bearings of the language, construe it

closely, assume that the author had an exact meaning, endeavour to ascertain what it is he intends to convey by every combination of words and by each word itself,—we do not say the result will be the conviction that no thought is here embodied, but certainly that blurred and incompletely explored ideas are covered up in loose phraseology and indistinct metaphor. Bulwer is eloquent, but of that school of eloquence which values ideas as a thread on which to string glittering images and gaudy words. He is one of those many writers who are to the poet what the rhetorician is to the orator, who study the tool more than the material in which they work. He rarely speaks *out* from himself, but always *to* an audience; and you constantly cannot help feeling that he labours more to show himself than his subject to advantage. He is fond of fine language for its own sake; his style is not polished, but French-varnished; does not give the highest effect to the sense which lies under it, but conceals it beneath an opaque glitter. Words, indeed, have a value and a power of their own; they are more than the representatives of things, they are themselves things; and the deepest mastery of expressional power in the poet is shown in bending their attributes as well as their meaning to his purpose. But still, of course their only proper value to the writer is as a medium of expression. There is a hollowness as well as a feebleness in employing them for ornamentation; there is singleness of purpose as well as refinement of taste and accuracy of mind in using them simply as they most exactly express our meaning. Fine writing is one of the most prominent defects in Sir Bulwer Lytton's writings; where one word would express his idea most exactly, he uses another because it is more uncommon, more pretentious, more good-looking. He will not condescend to call things by their proper names; and his euphuisms must excite many a smile among his readers. When a man has dined we are told, "the inmate of the apartment had passed the hour of the principal repast;" a canary-bird's cage is "the slender prison of one of those golden wanderers of the Canary isles which bear to our colder land some of the gentlest music of their skies and zephyrs;" men wear dressing-robcs instead of gowns, walk out with staffs instead of sticks, &c. &c. Sometimes a little of Sir Edward's hard-worked scholarship is used to add to the effect: we are told of a beech-tree "shaming the pavilion of Tityrus;" a man with ancestors is called a "eupatrid;" and news are brought by a messenger, or *ἄγγελος*. Platitudes dressed out in a pretentious array of words are a provoking substitute for thought. A novel is not required to be full of original reflections—they are constantly very much in the way there; but we have a claim, at

any rate, to be spared the tawdry imitation of them. You are not bound to give your friends claret; but it is degrading to you and them to insist on their drinking 24s. St. Julien out of a large cut-glass decanter. Why are we to be informed that "he who is ambitious of things afar and uncertain passes at once into the poet-land of imagination; to aspire and to imagine are yearnings twin-born"? One knows not whether to admire most the incorrectness or the triteness of this very fine observation. Assuming it to have a meaning, it is that the objects of our ambition or aspiration are conceived by our imagination. But it is not true that the man ambitious of things afar passes into the world of imagination; he remains in the world of fact, and uses imagination to minister to practical ends; and to imagine is not a yearning at all, nor is it twin-born with to aspire, for we must first imagine that to which we aspire. And if it be meant, as the context would lead one to suppose, that political ambition stimulates the poetic imagination, this is not true, nor is it so expressed. What an ingenuous and modest air of fresh discovery about our author's statement that "there is something in severe illness, especially if it be in violent contrast to the usual strength of the body, which has often the most salutary effect on the mind"! In another place he tells us by the aid of those Capital Letters with which he makes fine words finer still, "how much of aid and solace the Herd of Men derive from the Everlasting Genius of the Few." That men of genius are few, and the source of aid and solace to many, is true or trite enough; but it is not in respect of their fewness that they minister to the world; nor is it the "Herd," but those above the "Herd," that genius most helps to sustain. But it matters little for the exact meaning; who can care for the wine with such large ornamental knobs on the decanter? It is not very often, indeed, that Sir Bulwer Lytton says things absolutely without a meaning; but that a man who cannot claim the privilege of stupidity should ever do so is sufficient to convict him of a failing in the conscientious expression of thought; and the proof that a writer is not saying something, but making up a saying, is generally to be found in the false application of single words rather than in the faulty turn of sentences. The plainest man can express his own meaning in language; but it requires a very great amount of ability to use words like mosaic, and put them together so as at once to have a brilliant effect and embody an idea. It is perhaps from the want of a habit of simply applying language to its legitimate purposes that Bulwer so often writes bad English. Sometimes, however, he not only uses words laxly, without sufficient regard to their real meaning, but makes mistakes which the

instincts if not the grammatical information of a man of education should teach him to avoid. He often falls into a vulgar error in the use of the English subjunctive. He says, "If the crime *were* committed by Eugene Aram," meaning if it *was*; for the fact is fixed in the past. He says of himself and the author of the tragedy of *Rienzi*, "Considering that our hero *be* the same," meaning considering that he *is* so; "when this *be* done," meaning when this *is* done, &c. Sometimes his phrases bear a sense exactly the reverse of what he intends. He says, "Leonard was too pleased to obey," meaning he was only too pleased, that he was pleased and did obey. He tells us, "Not an operative there but spared his mite," meaning that spared, or but spared the beggar. He speaks of the terror in a man's voice, meaning its power to inspire fear. Such things are trifles in themselves, but they test preciseness of thought and expression.

The want of accuracy, which is so obvious in Bulwer's writings in the province of thought, affects also his imagination. As a simple desire to ascertain truth is all-important to philosophy, so the power to perceive and represent things truly is the first requirement in the poet. Truthfulness of detail is of the essence of poetry. Not that detail itself is essential. A great regard to minutiae in an artist is often justly spoken of with contempt. It is so when a man occupies himself in elaborating details of the matter he has in hand which are not of its essence, or immediately pertinent to the matter in hand; but where a detail creates a true distinction, the minuter it is the more genius displays itself in truly apprehending it and fully using it. Moreover, accuracy is most easily measured in details; and he who, whether in painting or poetry, is found incapable of dealing truthfully with minutiae, may justly be suspected of unfaithfulness to nature in his larger designs, which are themselves less open to criticism. An imaginative writer is not bound to know every thing, but he is bound to be right in what he professes to know. Bulwer is not bound to be acquainted with the aspects of nature, or the seasons of flowering plants; he might without disgrace admit himself ignorant of the habits of animals; his observation has taken another and a higher turn: but he has no right to affect a knowledge he does not possess, and make the ludicrous mistakes he does on these subjects. In the preface to *Eugene Aram* he even calls attention to the skill by which he has indicated the progress of the story by his descriptions of the seasons, and invites us in June to the grassy banks of a stream where grow the ivy-leaved bell-flower (whatever that may be), and where on the contiguous hedge are to be seen the luxuriant flowers of

the white bryony. The poppy adorns the hedge in the last days of autumn, and the sunflower and crocus are in full glory at one time. Toads have red eyes, which you can see shining in the grass as you walk ; owls flap heavily through the air, and little boys invest in large double geraniums. In *Harold* we are introduced to half a dozen handmaids "spinning," of which operation the author entertains the most confused ideas: the eye of the mistress "fell upon the row of silent maids, each at her rapid, noiseless, stealthy work. 'Ho !' said she, her cold and haughty eye gleaming as she spoke, 'yesterday they brought home the summer, to-day ye aid to bring home the winter. Weave well, heed well warf and woof ; Skulda is amongst ye, and her pale fingers guide the web.'" From this, though with but vague impressions as to how Skulda was employing herself, one would think the maids were weaving, not spinning ; but directly after we learn that their "spindles revolved."

But far deeper than to such trifles pierce the deficiencies of the author's imagination. They are felt throughout his writings. He is at once brilliant and indistinct. He has in its most exaggerated form what is one of the common attributes of second-class genius,—the power to see things vividly and yet not truly. He can neither grasp nor represent any thing in the fullness of its individuality. He abides in salient distinctions, and conceives that a bright light thrown on these will compensate for the finer lines of demarcation being left in darkness. His characters stand boldly out ; they excite attention and interest, but they will not bear close examination ; if you press too near them, they elude you, all the subtler traits lose distinctness, and you find that what they have of reality is commonplace. They are almost invariably self-consistent, to a certain extent, and individual ; but they have the air of manufactures, and are all made out of the same sort of wood. You see that the author does not conceive a character ; he makes it up, just as he makes up a story. He never, except in certain limited directions, penetrates into the recesses of another mind or heart. He never paints the complex reality. He has none of the poetic power of flashing a light upon the mysteries of human hidden life, the life within the man's own breast. His way of representing a man is to elaborate one or two obvious aspects of character. On these he dwells, and draws them over and over again in every new phase of circumstance in which his subject is represented, accompanying it generally with a repetition of the personal description ; and, stroke after stroke, he hammers into you what such a person resembles, and what the description stands for ; but, like the moon, his figures always present one side to you, and he seems to think that to paint a part



twice is as good as to paint the whole once. These defects are not so obvious as one reads. The skilful arrangement, the lively movement, the fulness and vigour of action, the spirit and point of the conversation,—these and other great merits in the novelist carry you easily and pleasantly to the end. It is only when you lay the book down that you become conscious that you have been living in an unreal and artificial world. It is like coming out of a papier-mâché manufactory: what fine things you have seen! how ingenious! how glossy! how ornate! but, after all, one does not care about papier-mâché, however brilliant; one does not remember even the best patterns as one does a good picture. Those are not real men and women one has been amongst for these three volumes; they are only admirable imitations of men and women, with “Sir Bulwer Lytton *hoc fecit*” written all over them. The author is “too much with us.” There is an egotism in the genius of Bulwer that always makes itself felt; it is not so much that in his works he thrusts himself *in propria personâ* upon you, it is that he never leaves you; he makes his presence uncomfortably felt in every page; you see the showman at every turn moving his puppets and giving voice to their dialogues. Partly it is that he *cannot* escape from himself, that he cannot by force of imagination become another. Hence his personal creations are never themselves in all they say and do. He describes them admirably, he retains their general features, they are separate enough in all their marked outlines; but he has not that mastery of them—that possession by them, we should rather say—which enables a dramatic writer insensibly to colour with individual hues every word which comes out of the mouths of the beings with which his imagination is occupied.

Thus it is that, in spite of his great variety of outlines, a monotonous tone runs through all Bulwer’s characters as soon as they begin to speak for themselves. The style, the rhythm, the position from which things are looked at,—all have a common element. The Bulwerian cast of thought and phraseology break out on them all like a rash, often to their great disfigurement. There is a sameness both in the innermost germ of his characters, and in the farthest details by which they are expressed; and this is to be expected, for a man expresses himself most individually, and throws most light on his character, by his minutest and most habitual words and actions. Sir Edward Bulwer Lytton’s characters resemble one another in expression because they are based on a common foundation. The author’s power, great and various as it is, cannot pass beyond the art of collecting certain attributes of character, and calling them a person; and he always makes such person speak

as he himself would speak had he those qualities. We have Sir Edward as man of fashion, Sir Edward as statesman, Sir Edward as highwayman, as philosopher, as squire, as young lady, as old lady, as mendicant, philanthropist, preacher, soldier, Christian, ruffian, poisoner, poet. Amazing is the fertility of mind and fancy; wonderful the command of varied incident, of the forms and modes of various kinds of life; he is a very Proteus in the art of external self-transformation; but his works, taken together, show that in all his books a set of characters are again and again reproduced, always with certain defined differences. His variety is great, but his range is small. Even Harley l'Estrange, the most original, the most essentially distinct in conception, of all his pictures, betrays his common origin as soon as he begins to be developed beyond a sketch and to occupy some space upon the stage. Godolphin is the most thoroughly executed of his characters; perhaps because he is drawn more directly from some obvious phase of the author's character. Nobody thinks Hazeldean a real English squire; you say it is like, but Sir Bulwer Lytton in top-boots and a cut-away green coat does not really deceive you for a moment. He has got himself up capitally as a country parson in Dale, and it is only when he begins to talk that we recognise the old familiar face. Riccabocca is so good that he is almost an exception to the rule; but in Leonard the colours are only well washed out and the hair brushed straight down; all the rest are old friends with a difference. Waif, in the last novel, is well conceived and well described; but he, like all the rest, can only speak himself in certain obvious characteristics. There is a complete absence in Bulwer of the fundamental, the essential part of dramatic genius. He is clever in the use of dramatic forms, and skilful in employing them as the vehicle of his narrative, and in the exposition of his characters, as far as he does expound them; but there is a limit he never passes. He has none of that wonderful faculty by which special individuality and the minutest traits and subtlest distinctions of character are betrayed, as in living men they are betrayed, by distinctions of expression and language too fine to be analysed. If he had possessed this power, he might have been a great dramatic writer; for he has all the other qualities which go to ensure success in that the most difficult field of imaginative literature, and he has shown himself a very clever and successful playwright. But read his plays (we have read them), and it is a matter of surprise that he should have condescended to write them, so insipid are the characters, so flatulent the eloquence, so conventional and so maudlin the pathos. The wit is the best; but less good in his



plays than his novels. In the language of immediate action, however, Bulwer excels. In what men do, and in that part of their language which accompanies and may be said to be part of their actions, he delineates them characteristically and well; and no one will question that, both in his conceptions and in his execution, he masters those more obvious traits which are developed in a man's outward conduct. He succeeds best, therefore, when he delineates men of action, and especially of intrigue. Vargrave may be a less probable conception than Maltravers, but he is drawn with a sharp clear stroke, while the lines in the latter are patched and wavering. It may be said this is incidental to the difference of character; but this is to confound the author with his subject. Hamlet may be irresolute, but there is no uncertainty in the lines with which Hamlet is drawn.

Sir Bulwer Lytton claims to have made a new discovery in the art of writing historical romances. Like the bold palæontologists of our day, he professes to cover the true skeleton of the past with the full form it once bore in the present; to take the facts and the outlines of characters as we find them, and to fill up the details from the resources of his imagination: he thinks you thus gain much in accuracy over those writers who distort facts more or less to suit the exigencies of their art. We doubt this. So far as historical romances go to form the historical ideas of readers, they do so by the general impressions the whole story conveys, and not by the reader's attention to the thread of historic incident on which they are strung. To pursue the simile we have just used, the unenlightened spectator who gazes on a reconstructed ichthyosaurus carries away the idea of a strangely-shaped and disagreeable-looking beast; he does not examine whether it has got its own thigh-bone, or whether the tail is rightly jointed; it is the general aspect which stamps itself on his mind; and if you have all the bones right and dress them up wrong, you cannot fail to produce a false impression. And who shall be so bold as to say it is within the resources of his knowledge or imagination truly to fill up the skeleton outlines of history? It is better surely that the province of the historian and the poet should be kept apart. They must of course overlap one another to a certain extent. The historian finds it necessary to give life to his pictures by completing them to some extent from the resources of his own mind; and the poet seeks food for his imagination in the truths of life. The James II. and the William III. of Macaulay are, we know, not exactly the men themselves, but the image of them the author has formed to himself; and the Achilles of Homer and the Tiberius of Jonson are raised

upon a basis of actual fact. But great poets have used history as furnishing materials to the imagination; they have not pretended that imagination can fill up according to its very reality the outline of facts. They have called what they write poems, not histories. More than a certain amount of detail and a certain amount of truth of past facts are absolutely incapable of being combined by any genius less than omniscient. Bulwer demands from us that we should look on *Harold*, *Rienzi*, and the *Last of the Barons*, not so much as efforts of the fancy as representations of reality. It is true he has great resources for works of this kind. No man handles facts with greater mastery, and good judges have pronounced him accurate in his narratives, as he certainly is painstaking in his investigations. But the deficiencies of poetic insight of which we have been speaking render him perhaps one of the last men of equal intellectual power who should undertake to reproduce the full body of past life, and to bring before us the images of men, not only as they seemed and acted, but as they were in their own hearts and consciences. He gives a vivid picture of social conditions, of manners, of events; so far as external resources are available, he commands attention and even admiration: but when thrown on himself, the limitation and egotism of his genius become painfully apparent, and more so in these historical romances than in those in which he has irresponsible power over the personages of his own creation. It is easier to judge of a false interpretation than of a faulty conception. We reconcile ourselves as we best may to the lucubrations of Devereux and Maltravers; but we feel indignant when Harold is set before us staggering under the heaped verbiage and tawdry philosophy of Sir E. B. Lytton. All veil of illusion is torn away for ever when Richard Duke of Gloucester mutters, "So perishes the race of iron. Low lies the last baron who could control the throne and command the people. The age of force expires with knighthood and deeds of arms. And over this dead great man I see the new cycle dawn." Or when Rienzi, disgusted with the Romans, cries, "And with such tools the living race of Europe and misjudging posterity will deem that the workman is to shape out the ideal and the perfect." In history more than elsewhere we are annoyed by the struggle between egotism and dramatic power, and smile to see how at every turn the minds of other times and other lands are used as the mouthpieces of the author's favourite ideas and forms of speech. In life his Saxons, his Italians, his Greeks and Egyptians once talked for purposes of their own; it is now their province to talk so as to show how poetically and profoundly Sir E. B. Lytton can write. "Does the

ground," says a Saxon in the eleventh century, who is represented as worldly-wise above his fellows,—“does the ground reject the germs of the sower” (he means the seed he sows, not his own embryo; but germ is more poetical than seeds, and would be preferred by a worldly-wise Saxon),

“or the young heart the first lessons of wonder and awe? Since then, Prophetess, Night hath been my comrade, and Death my familiar. Rememberest thou again the hour when, stealing, a boy, from Harold's house in his absence—the night ere I left my land—I stood on this mound by thy side? Then did I tell thee that the sole soft thought that relieved the bitterness of my soul, when all the rest of my kinsfolk seemed to behold in me but the heir of Sweyn, the outlaw and homicide, was the love that I bore to Harold; but that that love itself was mournful and bodeful as the hwata\* of distant sorrow. And thou didst take me, O Prophetess, to thy bosom, and thy cold kiss touched my lips and my brow; and there, beside this altar and grave-mound, by leaf and by water, by staff and by song, thou didst bid me take comfort; for that as the mouse gnawed the toils of the lion, so the exile obscure should deliver from peril the pride and the prince of my House—that from that hour with the skein of his fate should mine be entwined; and his fate was that of kings and of kingdoms. And then, when the joy flushed my cheek, and methought youth came back in warmth to the night of my soul—then, Hilda, I asked thee if my life would be spared till I had redeemed the name of my father. Thy seid-staff passed over the leaves that, burning with fire-sparks, symbolled the life of the man, and from the third leaf the flame leaped up and died; and again a voice from thy breast, hollow, as if borne from a hill-top afar, made answer, ‘At thine entrance to manhood life bursts into blaze, and shrivels up into ashes.’ So I knew that the doom of the infant still weighed unannealed on the years of the man; and I come here to my native land as to glory and the grave. But,” said the young man, with a wild enthusiasm, “still with mine links the fate which is loftiest in England; and the rill and the river shall rush in one to the Terrible Sea.”

Listen how Harold and Haco converse in an afternoon's ride. “Ride with me, then,” says Harold; “but pardon a dull companion; for when the soul communes with itself, the lip is silent.” “True,” said Haco; “and I am no babbler. Three things are ever silent,—thought, destiny, and the grave.” This system of lugging in a pseudo-poetico-philosophical observation in the train of the simplest observations is not uncommon in Bulwer, but he is an exceptional human being in this mode of expressing his thoughts. There is no age or country in which men have habitually heightened their discourse with this sort of seasoning. Even in the author's own day, we don't hear people say, “Good morning, for ere the fast is broken saluta-

\* Omen.

tion is sweet;" or, "No more, thank you, I'm no great eater. Three things have no appetite,—moral reflections, chance, and the resurrection of the dead."

When you read *Quentin Durward*, or *Old Mortality*, or *Woodstock*, you don't ask yourself, Is this history? but you are in some danger of quietly taking a false impression. So easy, so natural, so life-like is the presentation, that you can scarcely escape its charm. Sir Walter Scott may lead your impressions astray, Sir Bulwer Lytton prevents their being true; but he does not leave any permanently false ideas, his figures are so obviously unreal that they do not long dwell in the memory or the imagination. They are human hypotheses you accept for the sake of the story, and discard when you have finished it. If there be an exception to this, it is in the case of *Rienzi*, incomparably the best of Bulwer's historical romances. The characters both of *Rienzi* and *Montreal* are those with which he is best fitted to deal; but those who recall their impressions of this novel will find they have gathered no image of the real man *Rienzi*. Description wanders round and round him, but never settles on him. The events among which he moved, these are clearly and vividly stamped: ambition and love find a voice powerful, though often exaggerated in tone and meretricious in colouring; the subordinate persons are sketched-in with an effective and experienced touch. But ask yourself, Has the writer ever penetrated to the real nature of his hero, or is it indeed the complete image of any real man with which he presents you? and you are forced to confess it is not; but only a clever conglomeration of attributes, having all the life-likeness that can be obtained from the display of qualities in appropriate action, but not that higher one which great imaginations alone possess the power to set forth, because they alone have the power to pierce to the nature upon which it is framed. Bulwer does not divine a character, he excogitates it.

Nor in these historical romances is his singleness of purpose more to be trusted than his genius. It is plain that he is treating his historic personages as material; that he is not even seeking to represent them as they most truly were, but that this aim is subordinate to another, that of making them effective. They are for him such stuff as three-volume novels destined to be popular are made of, and their little life is rounded off into the Bulwerian philosophy.

In the dedicatory epistle to *The Last of the Barons*, after a brief enumeration of his *dramatis personæ*, we are told, "Such characters as I have here alluded to seemed then to me, in meditating the treatment of the high and brilliant subject which your eloquence animated me to attempt, the proper

Representative of the multiform Truths which the time of Warwick the King-maker affords to our interests and suggests for our instruction." It never does to inquire too closely into the exact meaning of all Sir E. B. Lytton writes; but without troubling ourselves too long about what is intended by a time affording multiform truths to our interests, we may gather from the whole sentence that it is the author's desire to make the delineation of persons subordinate to his own ideas of the truths embodied in or suggested by the history of the time. Such a confession at once destroys confidence in his historical trustworthiness. You may if you choose, poor work as it is, create men to represent ideas; but no writer is to be trusted in using the persons of history as the "representatives of truths." They will require much docking and fining and altering before they will fit into our philosophy; and almost unconsciously the operator moulds them from what they really were into what they ought to have been to suit his purpose. The fact is, Sir Bulwer Lytton's ambition urges him to an impossible task. He cannot bear that his historical romances should fail to unite the most diverse claims upon our admiration. They are to be true history, exciting romance, and profound philosophy. Nor are these difficult subjects of combination arranged in that defined order of subordination which alone could make their coexistence tolerable. Each struggles for predominance, and each in turn is permitted to possess it; so that every work is in different parts one of these three things at the expense of the other two. *Harold* is, more than any other of his works, marked with this vacillation of purpose; it extends to the very style, with its petty pedantries and the sharp contrasts between an occasional imitation of the style of the old chroniclers and the inflated Latin periods more natural to the author.

There are other works, however, of Sir E. B. Lytton, in which the philosophical element, if we may so call it, occupies a more prominent place. He is fond, indeed, of assigning to all his works some definite central idea or moral lesson, of which the story itself is the development. These appear to more advantage when we are told about them in the prefaces than when we attempt to discover them in the works themselves. It taxes our credulity to be told that *Paul Clifford* is a disquisition on the philosophy of punishment; that *Godolphin* traces the deterioration of character by a career of self-indulgence; or that *Ernest Maltravers* and *Alice* develop the education of circumstances and the career of genius. That the author has had some such aims, we do not dispute; but his mind is too little capable of connected and permanent moral convictions

to fit him to use his genius for invention as the machinery for developing and expressing moral ideas. His readers must always regret that the free play of powers more natural to him is impaired by the constant strain to make them ancillary to ideas with which, after all, the limits of the author's nature make it impossible for him adequately to deal. Had Sir Bulwer Lytton confined his aspirations to the entertainment of his fellow-creatures by vivid pictures of social life, display of character, and narrative of events and actions, he would have taken far higher rank as a novelist, and would have lost nothing by resigning all claim to the character of a profound moral instructor and the expounder of valuable truths. We are aware that the author does not agree with us. We have read with attention in his prefaces the assertions that the intellectual mould in which many of his fictions are cast raises them above the comprehension of most readers, and that not to admire is simply not to understand. Stimulated by the boldness of his claims, we have read his works with attention; and we cannot conceal our conviction that the disappointment in this direction of all readers will be proportioned to the closeness and patience with which they scrutinise the real matter those works contain, and that their popularity is always likely to remain greatest with those who are satisfied to regard them as exciting tales of life and passion.

The author, though deeply impressed with the necessity of being a moral writer, always seems desirous of attaining his end at as little expenditure of connected thought as possible. His fondness for what he oddly calls types seems to spring from this source. He is fond of telling you that certain characters and certain lives are "the types" of certain abstract moral qualities, and he seems to think that to say this is to enforce a moral conclusion. The disappointment of the reader is great when he finds, on taking the pains to examine, that all that is meant is, that the moral quality in question forms a part of the character, and is to a certain extent brought into action in the life; but that there is no sense in which that special quality rather than half a dozen others is exemplified in that life and character. Thus in *Harold* we read that "if the leading agencies of Harold's memorable career might be as it were symbolised and allegorised by the living beings with which it was connected, as Edith was the representative of stainless Truth, as Gurth was the type of dauntless Duty" (imagine a courageous obligation!), "as Hilda embodied aspiring Imagination, so Haco seemed the personation of worldly wisdom." What a strange purposelessness there seems in culling out these qualities, calling them "the agencies" of one man's



career, and allegorising them in three other persons, to each of which any reader of the book will be at no loss to ascribe half a dozen equally distinctive traits! In reality, Bulwer's imagination, whatever its other defects, is too broad and active for this narrow identification of human beings with single attributes.

A great regard for types is always evidence of some shallowness of mind. Those who are deeply impressed with the richness and infinite variety of created things, who are sensible to the fine links which unite, the subtle and melting distinctions which separate, who feel into what an intermingling and delicate web of existence the lives of men are interwoven,—such men are shy of "types." To invent an allegory is a very different thing from discovering or developing a type. If a type is to be true, it must embody in a single individual form the universal and essential characteristics of that of which it is the type; and it must remain true to these in all the aspects in which it is displayed. You cannot make so complex a thing as a human being the type of an abstract quality without either representing the man partially or the quality confusedly. You may invent a sort of incarnation of a quality. Hebe, with ever-blooming charms, may be made the type of youth. You may take a living thing, an animal, or even a man, and show it in some special aspect as the type of a quality; you may say a lion is the type of generosity, a Bacon the type of the investigative mind: but you can't write the true natural history of the lion, or the true biography of Bacon, and at the same time make these descriptions mere amplifications of the typical character assigned to the subjects of them. The attempt to do so must necessarily lead to falseness and incompleteness. You cannot really combine allegory and exhibition of character. It is always a source of discomfort to the reader when an author attempts to do so. We are always much happier when he allows things to be what they are. What a plague it would be if Sir Walter Scott were infected with a *penchant* for types! if he were always telling us, for instance, that the old knight in *Woodstock* was the type of loyalty, and informed us in a preface that because he had told us so *Woodstock* was an intellectual romance! In reality, the inventions of Bulwer are too real and life-like to serve as mere embodiments of ideas or vehicles of "moral suggestions." When once warmed to the human interests of his personages, he soon overwhelms their assigned typical character. But he is very unwilling to allow this; he clings to his inner meanings; he cannot forego the credit of being profound as well as exciting and entertaining; and the resources he turns to when, by adherence to the exi-

gencies of his story and characters, he has involved his types in inextricable confusion, has in it something not easily reconcilable with candour and good sense. He throws the burden on the reader; he hints that what seems nonsense is only the depth of hidden wisdom. He won't quite commit himself to saying he himself has a meaning in it all; but he says to his readers, You must all set to work and look for a meaning: I dare say you will all find different ones; but that you must expect, for the meaning is "a mystery." Now, even if we were sure our author had a concealed meaning, we should scarcely trouble ourselves to seek it carefully through a work of fiction unless we had some guarantee in his other writings that the meaning when found would repay us for the search. Many men may think it worth their while to solve the enigma of Goethe's *Helena*; but we cannot help smiling when Sir Edward, with his somewhat arrogant and yet uneasy egotism, invites us to a similar task. Certainly those who are most familiar with the sort of thought his writings in general display will be the least anxious to lend their efforts to the solution of such a work as *Zanoni*. We are far from having a low estimate of the intellectual powers of the author of *Ernest Maltravers* and *My Novel*: his observations both on social and political life are acute, his generalisations from historical and political experience sensible, and sometimes far-sighted; his direct moral conclusions are just, his knowledge in the different directions his branch of art demands is up to the mark, though it sometimes bears the traces of having been made up for the occasion: but active, vigorous, and well-in-hand as his mind is, it is commonplace in the direction of thought; and wherever, as is too often the case, he labours to be profound, he will be found either dealing with elaborately-decorated platitudes, or a hopeless confusion of idea concealed in pretentious verbiage. There is little temptation, then, to attack the "mysteries" of Sir Edward Bulwer Lytton's concoction; it is not pleasant to spend time in exploring a perplexed road which leads to nowhere in particular.

We will quote entire the author's note on *Zanoni*, because it is eminently characteristic of the value which he appears to attach to what he calls the "typical" side of art, and is itself not free from a confusion of thought and obscurity of expression which tends much to destroy the faith it is intended to stimulate.

"The curiosity which *Zanoni* has excited among those who think it worth while to dive into the subtler meanings they believe it intended to convey, may excuse me in adding a few words, not in explanation of its mysteries, but upon the principles which permit them.



*Zanoni* is not, as some have supposed, an allegory ; but beneath the narrative it relates, *typical* meanings are concealed. It is to be regarded in two characters, distinct yet harmonious—1st, that of the simple and objective fiction, in which (once granting the license of the author to select a subject which is, or appears to be, preternatural) the reader judges the writer by the usual canons—viz. by the consistency of his characters under such admitted circumstances, the interest of his story, and the coherence of his plot ;—of the work regarded in this view, it is not my intention to say any thing, whether in exposition of the design, or in defence of the execution. No typical meanings (which, in plain terms, are but moral suggestions, more or less numerous, more or less subtle) can afford just excuse to a writer of fiction for the errors he should avoid in the most ordinary novel. We have no right to expect the most ingenious reader to search for the inner meaning, if the obvious course of the narrative be tedious and displeasing. It is, on the contrary, in proportion as we are satisfied with the objective sense of a work of imagination, that we are inclined to search into its depths for the more secret intentions of the author. Were we not so divinely charmed with *Faust*, and *Hamlet*, and *Prometheus*,—so ardently carried on by the interest of the story told to the common understanding, we should trouble ourselves little with the types in each which all of us can detect—none of us can elucidate ;—none elucidate, for the essence of type is mystery. We behold the figure, we cannot lift the veil. The Author himself is not called upon to explain what he designed. An Allegory is a personation of distinct and definite things—Virtues or Qualities—and the Key can be given easily ; but a writer who conveys typical meanings may express them in myriads. He cannot disentangle all the hues which commingle into the light he seeks to cast upon truth ; and therefore the great masters of this enchanted soil—Fairy land of Fairy land—Poetry embedded beneath Poetry—wisely leave to each mind to guess at such truths as best please or instruct it. To have asked Goethe to explain the *Faust* would have entailed as complex and puzzling an answer as to have asked Mephistopheles to explain what is beneath the earth we tread on. The stores beneath may differ for every passenger ; each step may require a new description ; and what is treasure to the geologist may be rubbish to the miner. Six worlds may lie under a sod, but to the common eye they are but six layers of stone.

Art in itself, if not necessarily typical, is essentially a suggester of something subtler than that which it embodies to the sense. What Pliny tells us of a great painter of old, is true of most great painters ; ‘their works express something beyond the works’—‘more felt than understood.’ This belongs to the concentration of intellect which high Art demands, and which of all the Arts, Sculpture best illustrates. Take Thorwaldsen’s Statue of Mercury—it is but a single figure, yet it tells to those conversant with Mythology a whole legend. The god has removed the pipe from his lips, because he has lulled already the Argus, whom you do not see, to sleep. He is pressing his heel against his sword, because the moment is come when he may slay his victim.

Apply the principle of this noble concentration of Art to the moral writer : he, too, gives to your eye but a single figure ; yet each attitude, each expression, may refer to events and truths you must have the learning to remember, the acuteness to penetrate, or the imagination to conjecture. But to a classical judge of sculpture, would not the exquisite pleasure of discovering the all not told in Thorwaldsen's masterpiece be destroyed if the artist had engraved in detail his meaning at the base of the statue ? Is it not the same with the typical sense which the artist in words conveys ? The pleasure of divining Art in each is the noble exercise of all by whom Art is worthily regarded.

We of the humbler race not unreasonably shelter ourselves under the Authority of the Masters, on whom the world's judgment is pronounced ; and great names are cited, not with the arrogance of equals, but with the humility of inferiors.

The author of *Zanoni* gives, then, no key to mysteries, be they trivial or important, which may be found in the secret chambers by those who lift the tapestry from the wall ; but out of the many solutions of the main enigma—if enigma, indeed, there be—which have been sent to him, he ventures to select the one which he subjoins, from the ingenuity and thought which it displays, and from respect for the distinguished writer (one of the most eminent our time has produced) who deemed him worthy of an honour he is proud to display. He leaves it to the reader to agree with, or dissent from, the explanation. 'A hundred men,' says the old Platonist, 'may read the book by the help of the same lamp, yet all may differ on the text ; for the lamp only lights the characters—the mind must divine the meaning.' The object of a Parable is not that of a Problem ; it does not seek to convince, but to suggest. It takes the thought below the surface of the understanding to the deeper intelligence which the world rarely tasks. It is not sunlight on the water, it is a hymn chanted to the Nymph who hearkens and awakes below."

That disingenuousness of which we have spoken shows itself in the whole tenor of this note. The writer tacitly claims credit for some very subtle and profound meaning embodied in his fiction, and yet declines committing himself to having any meaning at all. It is, in fact, an appeal to the reader to make a meaning, and call it the author's.

He opens by intimating pretty clearly that *Zanoni* is designed to have an esoteric meaning. It has "*mysteries* ;" it is not an allegory, but conceals "*typical meanings*." A little uncertain as to what is meant by typical meanings, we are relieved a little further on to find they "*are but moral suggestions*." But after some sensible observations on the necessity, at any rate, of a good story, comes a cloud of very fine writing very inapplicable to "*moral suggestions*." We are told that we can detect types in *Faust*, *Hamlet*, and *Prometheus*, but none of us can "*elucidate*" them. We ask how this is. It is hard ; try it in the

vernacular. It would seem, then, that there are in *Hamlet* moral suggestions all of us can find, but none of us can bring to light. Does Sir Edward attach a meaning to this process of elucidation subsequent to discovery in the case of moral suggestions; or, admitting that moral suggestions can be exhibited veiled and incapable of examination, does he attach a value to such suggestions? And has he really a defined meaning for the word "type;" or is he trying to make one for the occasion? He excludes allegory; but does he really mean "moral suggestions"? Is Miss Edgeworth one of those persons who convey "typical meanings" in myriads? And when we are told that such a writer "cannot disentangle all the hues which commingle into the light *he seeks* to cast upon truth," is this any thing more than cuttle-fish writing, and a desire to seek safety under a cloud of printer's ink? If there be any meaning in this and what follows, it must be that an author is not bound to understand his own meaning, but throws that onus on his readers. It puts one in mind of the showman and the little boy. "And what are the truths, Sir Edward?" "Whatever you please, my gentle reader; you buy the novel, and you take your choice." Once take the reverse of Dr. Butler's dictum, and assume that every thing in a book is *not* that which it is, but any other thing you choose to make it; and there is no limit to the mysteries any work may contain. But there is no necessity to write clever books under this dispensation. *Cock Robin* and *Prince Fortunatus* are as rich in deep truths to the man who brings them with him as Shakespeare and Bacon. As for Goethe, either he had a meaning, however complex, or he had not; and if he had not, it is no use looking in *Faust* for what is not there. Sometimes, indeed, an author has a meaning which he never clearly works out in his own mind, and of course, therefore, cannot very clearly express in his work. This is no uncommon failing; but it is a great additional error to allow one's self-estimation to suggest that the obscurity arises from the profundity of one's thoughts, and to call that a mystery, a type, or even a moral suggestion, which is in reality only want of clearness of mind. Throughout this note, indeed, the writer seems to be confounding two very different sources of suggestion, which are to be found in all imaginative writers. The creations of every great poet will suggest to us many of the same truths as would have been suggested to us by the realities of which his figments are the representatives; and (the instincts of his genius producing on his pages a faithful image of the realities of the world) his work may possess a mine of wealth which he has not of set purpose placed there, and is possibly entirely unconscious of, and from which each reader may gather according

to his own powers of insight. If the poet truly portray men, you may learn from him something of men, just as you would learn it from the living. *Hamlet* may cast a new light on the workings of the human intellect in other directions than those in which the poet conceived, and we may learn things from him Shakespeare never intended; but Shakespeare can no more claim to be the philosophical discoverer and setter-forth of these truths than a painter could claim to be a botanist because he added to botanical knowledge by the correct drawing of a new plant. On the other hand, the poet undoubtedly may expressly embody certain truths, and make his inventions the vehicle of moral suggestions; but however subtle and profound these may be, there is no "mystery" about them, nor can he make these suggestions without understanding what he is doing. There is nothing mysterious in the meaning attached to the figure by Thorwaldsen, chosen by Bulwer as an illustration. The sculptor knew very well what he meant to indicate. It is there for those who have the skill to detect it, and is simple and comprehensible enough. And so it should be. If a work of art be meant as a typical embodiment of certain ideas, every pains should be taken to make its meaning transparent and its purpose clear; and few things can degrade art more than to make it a cloak for a riddle. One thing, however, is worse; and that is, to make it a riddle without an answer. The story of *Zanoni* is full of the author's peculiar power; the supernatural elements are handled with great address, it would scarcely be possible in some respects to speak too highly of the conception and execution of parts of it: but the constant hints of some unspeakable depths of inner meaning; the triteness and confusion of all of that inner meaning which is graciously exposed to us; the absence of any indications that there really is any clear connected explanation; and the affectation of solemnity and reserve in this note, the "I could an if I would, and yet I know not" air,—give one the feeling that *Zanoni*, with its vast blowing of esoteric trumpets and constant invitations to step inside and see the real meaning of the show, is in reality a sham; and that the "mystery" bears the same relation to the brilliant story, that the decayed old lion and half-dozen mangy monkeys inside a travelling menagerie bear to the lively representation of wild-beasts in every attitude which hangs outside. The truth we apprehend is, that Bulwer had a meaning, which we may call allegorical or typical; that it was never very clear, and that the exigencies of the story distorted it still more: but the language of *Zanoni* is so very fine, that he *feels*, as the women say, that it must contain some depths of meaning; he welcomes the idea that in the recesses of his eloquence his

genius may have laid eggs of gold unknown to himself, and he cackles thus loudly to the world to come and look for them. But the world must first be satisfied that the eggs are there; and secondly, that they are of gold. The success of the distinguished writer whose explanation the author prints is certainly not such as to lead many others into the same field of inquiry.

Bulwer has been accused of seeking an unwholesome source of interest in criminal life and passions. If this charge against some of his novels has been pushed further than is reasonable, it is owing in some measure to the exaggerated pretensions to purity and elevation of moral design which have been put forward by the author. He was at the pains some years ago to write a pamphlet to justify his choice of subjects in his three novels of *Paul Clifford*, *Eugene Aram*, and *Lucretia* (the only ones to which this accusation directly applies), and to defend his treatment. The subject is skilfully and forcibly, but not very thoroughly, handled. We have no space here to discuss the grounds and limitations of the dealing of art with criminal subject-matter; in part, no doubt, the same considerations which forbid us to expect too much from mere sympathy with the expressions of the higher feelings and sentiments evoked by art are those which justify its use of the lower ones. But it is difficult to go along with an author in his indiscriminating claim to treat the every-day crimes of modern life as the legitimate subjects of imaginative fiction; nor does he meet the obvious objections to thus dealing with them by saying that we are daily brought in contact with the realities. The very question is, What are the limits of art in the reproduction of realities? There are many things in life, the most repulsive and degrading, which we cannot avoid; but this is no argument for voluntarily reproducing them, and giving them that hold upon us which they derive from being seen through a vivid imagination. We willingly admit that Bulwer's genius particularly qualifies him to interpose the screen of art before his deformed subject-matter; but here, as elsewhere, the love of effect predominates over all other considerations. *Lucretia* may be said to be the only one of Bulwer's novels in which crime is made the main source of interest; and skilfully managed as it is, those who read it can scarcely escape the conviction that it is degrading to be brought into this close contact with revolting crime for the sake of the fine writing and exciting scenes of action which can be spun out of it. And though it may be true, as Bulwer urges, that art can enforce a deeper moral than a common mind can gather from realities, yet it is certain that he himself is but ill-qualified to pluck the flower out of this nettle.

He has little or no power to depict the influence of criminal indulgence on the human heart; he does not bring that knowledge, that insight, which alone can give dignity to such a theme. He believes he does, and he is therefore fairly justified to himself. You cannot blame him for writing *Lucretia*, conceiving, as he evidently does, that it is full of deep wisdom, and unravels the mysteries of men's temptations and of God's judgments. But it is not so. It is at best a mere intellectual study, and by no means a profound one. The criminal interest in the *Children of Night* is simply the vivid personal description and lively history of the actions of three murderers. It is ably done; it is relieved happily enough by the less revolting characters and brighter aspects of the story; but it has in it nothing of that profound insight into the sources of crime, none of that *truth*, to be brief, which alone can reconcile us to such a picture. And at the same time the author seeks to create a fictitious interest, opposed to his own and all true principles of art, by reminding us constantly that the story has a basis in actual fact. This is worst of all. If a story like this is true, we then confine ourselves to what we know. In real facts some grain of golden experience lies always hidden for those whose business it may be to search for it. But when an artist like Bulwer lays hold of it, alters it to his purpose, furbishes it up, adorns it with poetical language, rhetorical gauds, and a bright depicting fancy, and thinks he has done the cause of goodness service by the not less than savage cruelty with which he dilates on the doom which overtakes the guilty lives he pictures,—what can we really learn from a medley where the reality is inextricably mixed with false lights thrown in to make a glittering picture? If a poet can draw a guilty career and a sinful heart *truly*, he may teach us much. But this needs two things; the insight to perceive the truth, and a singleness of purpose to lay it bare. If a writer have these, he may create truth-teaching phantasms out of the resources of his imagination; if he have them not, to base his creations on a substructure of reality is but to introduce an element of additional perplexity, and to give a spur to false excitement. In *Eugene Aram*, as in *Lucretia*, a nucleus of reality is made a false source of interest. Without it the *Eugene Aram* of Bulwer would scarcely command the perusal of any one more exigent than a school-boy. It rings hollow and artificial from beginning to end. It can scarcely be said to touch on real human life. It is a sort of pasteboard existence to which you are introduced, so hard and stiff and thin are all the figures. But it is with the morality of the story we are now occupied. No doubt the sudden descent of cultivated intellect, and an



apparently gentle and elevated nature, into foul crime is a phenomenon which startles men strangely, which lays hold on something deeper than our curiosity, and which may well challenge the keenest inquisition of both the philosopher and the poet. But the only way in which the poet can turn it to a moral purpose, is to find a moral solution of it. Assuredly in that nature there was some moral canker, which had eaten wide and deep below the surface before so sudden a collapse could have taken place. To deem otherwise is to upset the foundations of the world. To tell us that a man not only apparently but really wise, humane, conscientious, and pious, may step out any dark night with a bludgeon and murder a passer-by for the sake of his purse, is to dissolve the faith which is the fundamental cement of human society. There are but two explanations of such an event: either

“ Rank corruption, mining all within,  
Corrupts unseen ;”

or insanity, in some form or other, has unhinged the nature. A true poet, dealing with such a subject, would find its deepest demands upon him in those mysteries of human self-deception which would at once explain it and derive light from it. Bulwer does, indeed, aim at something of this kind; but his treatment is shallow and artificial. He has heard of a Spanish priest who committed a somewhat similar crime, and grafts the jesuitical sophistries proper to such a nature and education on the English scholar. With the real difficulties of the intricate phenomenon before him he is utterly incapable of dealing; and the very fact of his venturing, with the resources at his command, on such a subject shows that the moral aspect of the thing has no real hold upon him, but that he is mainly anxious to get good materials for a novel out of it. What he wants is a romantic figure of a man involved in mystery, whom it shall be woe to the fair-haired sister to love, who shall attract admiration and commiseration, and whose end shall be as the end of a blue-light on the stage.

*Clifford* is open to the same objection of want of moral veraciousness of painting. A boy nursed among thieves and ruffians could never retain the characteristics which make *Clifford's* claim upon our sympathy. One would not examine these claims to moral purpose so strictly if they were not urged by the author so strongly. *Clifford*, though often silly both in its wit and its sentiment, is a good-humoured and clever enough satire, though in somewhat a small way. William Brandon is a good figure, and there is spirit and vivacity enough in the book to carry us through it. *Eugene Aram* may pass muster as

a melodrama, and *Lucretia* as an exciting story for those whose tastes are not very refined; and all may claim to be written with a decent regard for propriety, and with a desire to avoid the mischievous handling of doubtful materials. But when the author invites us to enter them as treasure-houses of wisdom, and seems, when in later life he opens the door afresh with a new preface, to fall back himself astonished at the dignity of the structure and the wealth amassed in it, no one can help expressing some little disappointment when he comes to scrutinise for himself the subject-matter of so profound and doubtless so genuine an admiration.

As a constructive artist Bulwer is indisputably great; and his works stand in this respect above those of every contemporary, we may almost say every rival. *Tom Jones* is a true work of art; still it is of simple construction. *Ernest Maltravers* and *What will he do with it?* are far more complex narratives, and in structure not less complete and harmonious. In truthfulness, in wisdom, in humour, in good taste, in all that marks higher poetic power, and in some respects a higher nature, Fielding stands immeasurably above Bulwer; but in skill of construction, in command of intricate combinations of facts, Bulwer may certainly claim to rival, if not to excel, him who is justly esteemed to stand first in the ranks of the writers of prose fiction. There is something marvellous in the grasp he has of his whole design, and the skill and ease with which he evolves all intricacies of plot, with which, without straining his characters or his incidents, he marshals all his materials and concentrates his varied forces on one result. Perhaps his only defect as a narrator is, that he sometimes indulges in a sort of new spring at the end of his story, and just when the whole should draw to its sudden solution, creates a new difficulty, which unduly protracts the finale: such is Sophy's refusal to accept Lionel, Maltravers' last contest with Alice, and perhaps,—though there, indeed, it is more of the substance of the whole story,—Philip's attachment to Caroline, in *Night and Morning*.

Joined with his constructive and narrative power, Bulwer has a great faculty for description, and a quick eye for the external life of the world. He has lived among men and seen society; he has great familiarity with the demeanour of his fellow-creatures. There are certain more obvious aspects of character with which he every where deals, and he depicts them very vividly; he can represent forcibly men as they appear in action; he can paint with vigour the working of the passions.

A certain masculine energy prevails through all his works, and is one of their best features. He may have no sympathy



with the higher motives of the will, but he cannot bear to see its powers frittered away. The ambition he loves to paint may not be the loftiest, but at least it demands self-control and energy. He has represented men engaged in the real interests of life, not confining himself to catching them in their hours of sentiment and recreation, but conveying, perhaps with more success than any other novelist, the impressions of persons really busied in the affairs of the world; in all he writes there is a full mental wakefulness; nothing sleeps, nothing dawdles. Intellectual activity is one of the prominent characteristics of the author's nature, and leaves its stamp not only in all his books, but in all the personages of his creation. His artistic and intellectual faculties give the key to all his main characteristics as a writer. He might be described as an author with a strong passion to create, and dependent on intellectual resources. Hence his fertility, and the constant occupation of new fields of activity: hence his confusion of thought, for his intellect is constantly grasping at questions in which his moral insight is insufficient to give him the necessary support and assistance; he apprehends intellectually the subjects of other men's feelings, and is for ever giving you a sort of mental substitute for realities. From the poverty of his moral and poetic nature comes the want of inner connectedness in all his various productions; they have a common intellectual likeness, but in other respects they suit themselves to the demands of his subject or the tastes of the day: the undisguised licentiousness and freedom of Pelham; the effrontery of Devereux; the softened and anxiously explained fall of Ernest Maltravers, and its French taste, and sometimes (as in the account of Alice and the Banker) approach to French indecencies; the domestic sentimentalities of the Caxtons; and the electro-plate imitation of the highest tone in his last two novels,—these things could not come out of the inner nature of the same man; they are the assumptions of his art. His moral truths are got up for the particular occasion, and serve only to carry him through a single work: often they are only made up to emboss a page, or give point to a paragraph; wrapt up in affected language, they decorate the chapter, and fill up the interstices of the narrative. The discontinuity of his moral reflections does not arise from his genius being dramatic,—it is the reverse of dramatic; it is not that the moral character of his personages varies, but the moral temper of the different works; and all the characters, however various, are steeped in the particular atmosphere which for the time prevails.

His intellectual conclusions have, as we should expect, somewhat more continuity. He has some wrong dogmas of art

in which he may almost be said to believe ; but his ideas, with the exception of those which bear on an ambition to win success in the world and fame after death, are not such as concern the realities of life, and the mass of thoughts have no fixed root of inner conviction from which they spring. It would be absurd to assert that with a man of Sir Bulwer Lytton's intellectual range and large mental energy there should not be much that is true and forcibly put among his multitudinous assertions ; but when he touches on any deeper theme, it is rarely indeed that his words speak with any force to us, rarely that we can escape the sense of their being artificial and hollow ; and the reason of this is, that without specially analysing his feelings, every reader gathers more or less the knowledge that it is love of display, not love of truth, which dictates them,—that they serve a purpose instead of expressing a belief. From want of moral convictions, it naturally follows that he has no self-reliance ; he alternately defies, and abjectly humbles himself before, the popular opinions of moral questions. Thus how glaringly he paints Maltravers' guilty pleasure, and how lightly he handles his sin ! but of Alice, where there is no sin, he dares not say as much, but anxiously arrogates to himself the credit of her sufferings, and claims to have virtuously devised a retribution for her. Hence too, in great measure, his excessive sensitiveness to opinion and adverse criticism. A man who is sensible of having spoken the truth that is in him, or given a voice to his real inspirations, will have strength enough in himself to give its just weight to criticism, whether favourable or otherwise, and dignity to let that which is unjust pass him by. He will scarcely betake himself to protestations, and hold himself out in prose and verse as injured and unappreciated.

The way in which Bulwer gives us an intellectual *réchauffé* of the original thing is most curiously illustrated in his humour and his poetry. With no inconsiderable share of wit, he has but a bare spark of humour in his composition ; yet how cleverly the imitation of it is got up in his later novels ! The "augh baugh" and other clumsy and laboured jocularities of the corporal in *Eugene Aram* is exchanged for something much more like the real thing. Still, every reader of common penetration sees that it does not come naturally from him ; that it is collected elsewhere, or painstakingly invented, and sewn on like gold-lace on a coat. A humorous man could not possibly have printed many of the things which Bulwer presents us with as humorous ; he would have despised himself if they had occurred to him. But they never would have occurred to him. Their very presence indicates blindness, absence of faculty. Any

clever man may, with more or less success, imitate humorous sayings; but it is a clear proof that he is thus imitating, and has no sense of the humorous in himself, when he can mistake for humour such things as are presented to the insulted reader in the headings of some of the chapters of *What will he do with it?*

None of Bulwer's early novels deal with the affections. When he bethought himself to be humorous, and affectionately instead of passionately sentimental, he took down his Sterne. And he has availed himself well of his studies. He has not only familiarised himself with the style and manner of his master, he has been bold enough to appropriate his greatest work. And his Bowdler's edition of *Tristram Shandy* is extremely well done. Poor Uncle Toby comes off the worst; with a tight stock round his throat and a poker down his back, he sits there in rigid strait-lacedness, doing lasting penance for the too unconstrained ease of his former demeanour; condemned to be eternally sentimental, and to be denied the solace of laughter. A word as to the plagiarism. It was permissible to any one to take his suggestions for his leading characters, his hints of humour and his mode of style, from a work of such recognised fame as *Tristram Shandy*; but it has always been esteemed a part of candour to recognise obligations so great, and a perfect silence in such a case contrasts ill with the somewhat officious recognition of small and unimportant ones scattered here and there through the writings of Bulwer. It does not improve the matter that *The Caxtons* is mainly adapted to be a favourite with female readers; and that with them, happily, the sources from which it was drawn would be tolerably sure to escape detection. Throughout his works Bulwer is not very strict in availing himself of foreign resources. Even his last novel bears, in the character of Mrs. Crane, and in the style of narrative, very evident traces, not so much of his having been influenced by as of his having consulted the writings of Mr. Dickens and Mr. Charles Reed. He condescends even to adopt Sterne's little buffooneries in printing; and it was an unblushing thing to feed a second donkey after the model of the macaroon scene in *The Sentimental Journey*.

Nothing can more forcibly indicate Sir E. Bulwer Lytton's absolute deficiency in true poetical genius than the value he assigns to his own poetry. After ample time for reflection, he has deliberately placed it on record that his *King Arthur* is the highest effort of his powers, and the work on which he rests his claims to posthumous fame. This is to be most unjust to himself. No poet could have written *King Arthur*. But granting so difficult an hypothesis, it is impossible he could

have imposed upon himself with it. No reader gifted with the humblest susceptibility to imaginative impressions can be deceived by it. He may be puzzled to explain why it is not poetry; but his native instincts infallibly consign it "to dumb forgetfulness a prey." He may not be able to say why it is unreadable, but he will not read it. The true solution is, that it is not a poem at all, but a very clever imitation of one; and poetry is a thing which does not admit of imitations, however clever. A man with Sir Bulwer Lytton's endowments can no more sit down and say, I will write a great epic poem, than a plain woman can resolve to have a handsome face. All he can do is what is here done. He can skilfully put together the materials which poets use. No man is absolutely destitute of fancy, or even of the true imaginative faculty; but for Bulwer to attempt to vivify a poem of twelve books with the amount of bardic fire and insight which is at his disposal, is as if one should attempt to light up St. Paul's with a single composition-candle. We had proposed to make it the subject of some detailed criticisms, but our heart has failed us. The mosaic splendour of strained expression and exaggerated sentiment which, as in the case of an over-dressed gentleman, gives an air of vulgarity not always deserved to his prose works, shines out in his poems in a yet higher degree. For the rest, they serve only to illustrate, with somewhat sharper lines, the deficiencies we have noted in his prose works; they are, indeed, only novels spoiled into verse, and they have scarcely readers enough to make it desirable that they should find commentators. With his novels it is different. Mr. Routledge's wonderfully cheap editions place them at the disposal of thousands, and they have attractions which cannot fail to secure them a wide perusal. But their claims to a more lasting reputation must depend on their real merits, not on their false pretensions, still less on the author's direct and hungry demand for applause. It is the voice of the fit audience though few, gaining fresh adherents from each new generation, which makes fame permanent. Bulwer has got a radically false notion, the presence and influence of which pervades all his works. He thinks the ideal, the poetical, is something separate from, something even in contrast with reality, and that we can in our creations transcend nature and improve upon the work of the Almighty; whereas all we can do is to give a special completeness within a certain narrow sphere, and concentrate the elements of perfection by confining ourselves to a particular aspect. No poet can grasp the great whole of the universe, explore its plan, or comprehend its beauty; he sees only patches of the world, he apprehends only fleeting glimpses of life: but the power is given him out of that which

he does see to make a whole of his own ; to conceive, to create something ; petty, indeed, and limited, compared with the vast creation from which it is drawn, and within which it stands, yet which moves on its own axle and is entire within itself. But it must rest on reality ; there must be some sense in which imagination, even in its wildest flights, keeps harmony with the universe in which we live, or we recoil from its births as distorted and monstrous. Bulwer deserves sincere admiration for the zeal and perseverance with which he has devoted himself to his profession of a novel-writer ; but he is a warning that no mere mastery of the machinery of art can compensate for a severance from the truths of nature.

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ART. II.—MOMMSEN'S HISTORY OF ROME.

*Römische Geschichte* von Theodor Mommsen. Erster Band : Bis zur Schlacht von Pydna. Leipzig, 1854. Zweiter Band : Von der Schlacht von Pydna bis auf Sullas Tod. Berlin, 1855. Dritter Band : Von Sullas Tode bis zur Schlacht von Thapsus. Berlin, 1856. [*Roman History*, by Theodore Mommsen. 3 vols. Leipzig and Berlin, 1854-6.]

*The Earliest Inhabitants of Italy : from Theodore Mommsen's History of Rome.* Translated by George Robertson, with a Preface by Dr. Schmitz. London, 1858.

THE history of Rome is the greatest of all historical subjects, for this simple reason, that the history of Rome is in truth synonymous with the history of the world. If history be read not as a mere chronicle of events, recorded as a form and remembered as a lesson, but as the living science of causes and effects, it will be found, that rightly to understand the destiny of what is truly called the Eternal City, our researches must be carried up to the very beginnings of history and tradition, and must be continued uninterruptedly to the present hour. Palestine, Greece, and Italy, are the three lands whose history contains the history of man. From Palestine we draw our religion ; from Greece comes art and literature, and, in a manner, law and freedom. But the influence of Palestine and Greece is, to a large extent, a mere influence of example and analogy ; and where it is a real influence of cause and effect, it is at best an indirect influence, propagated by the voices and the arms of strangers. The history of civilised man goes on in one unbroken tale from Theseus to our own day : but the drama shifts its scene and changes its actors ; Greece can only reach us by

way of Italy; the Athenian speaks to modern Europe almost wholly through a Roman interpreter. We profess a religion of Hebrew origin; but the oracles of that religion speak the language of Greece, and reached us only through the agency of Rome. Of the old states of the world, the history of Carthage and of Palestine merges itself for ever in that of Rome. Greece, like one of her own subterranean rivers, merges herself also for a while, shrouds herself under the guise and title of her conqueror, and at last reappears at such a distance that some refuse to recognise her identity. To understand Roman history aright, we must know the history of the Semitic and Hellenic races which Rome absorbed, and of those races of the farther East which Rome herself never could subdue. We must go yet farther back; we must, by the aid of philological research, grope warily beyond the domain of history or legend. We must go back to unrecorded days, when Greek and Italian were one people; and to days more ancient still, when Greek, Italian, Celt, Teuton, Slave, Hindoo, and Persian, were as yet members of one undivided brotherhood. And if the historian of Rome is bound to look back, still more is he bound to look onwards. He has but to cast his eye upon the world around him to see that Rome is a still living and abiding power. The tongue of Rome is the groundwork of the living speech of south-western Europe; it divides our own vocabulary with the tongue of our Teutonic fathers. The tongue of Rome is still the ecclesiastical language of half Christendom; the days are hardly past when it was the common language of science and learning. The law of Rome is still quoted in our courts and taught in our universities; in other lands it forms the source and groundwork of their whole jurisprudence. Little more than half a century has passed since an Emperor of the Romans, tracing his unbroken descent from Constantine and Augustus, still held his place among European sovereigns, and, as Emperor of the Romans, still claimed precedence over every meaner potentate. And the title of a Roman office, the surname of a Roman family, still remains the highest object of human ambition, clutched at alike by worn-out dynasties and by successful usurpers. Go eastward, and the whole diplomatic skill of Europe is taxed to settle the affairs of a Roman colony, which, cut off alike by time and distance, still clings to its Roman language and glories in its Roman name. We made war but yesterday upon a potentate whose badge is the Roman eagle, on behalf of one whose capital has not yet lost the official title of New Rome. Look below the surface, and the Christian subjects of the Porte are found called and calling themselves Romans; go beyond the Tigris, and their master himself is known to the votary of Ali



simply as the Roman Cæsar. Even facts like these, which hardly rise above the level of antiquarian curiosities, still bespeak an abiding influence such as no other city or kingdom ever knew. And, far above them all, in deep and vast significance, towers the yet living phenomenon of the Roman Church and the Roman pontiff. The city of the Cæsars has for ages been, still is, and, as far as man can judge, will still for ages be, the religious centre, the holy place, the sacred hearth and home, of the faith and worship of millions on each side of the Atlantic. The successor of the Fisherman still in very truth sits on the throne of Nero, and wields the sceptre of Diocletian. It is indeed a throne rocked by storms; Frank and German may do battle for its advocacy; they have done so in ages past, and may do so for ages to come; but the power which has lived through the friendship and the enmity of Justinian and Liutprand, of Charlemagne and Otto, of the Henrys and the Fredericks, of Charles of Austria and Napoleon of France, may well live to behold the extinction, however distant it may be, of both the rival lines of Corsica and Hapsburg. Look back to the first dim traditions of the European continent, and you look not too far back for the beginnings of Roman history. Ask for the last despatch and the last telegram, and it will tell you that the history of Rome has not yet reached its end. It is in Rome that all ancient history loses itself; it is out of Rome that all modern history takes its source. Her native laws and language, her foreign but naturalised creed, still form the most important element in the intellectual life of every European nation; and, in a large portion of the European continent, they not only form an important element, but are the very groundwork of all.

The history of Rome dies away so gradually into the general history of the middle ages, that it is hard to say at what point a special Roman history should terminate. Arnold proposed to continue his history to the coronation of Charlemagne. Something may doubtless be said for this point, and something also for other points, both earlier and later. The Roman history gradually changes from the history of a city to the history of an empire. The history of the Republic is the history of a municipality, bearing sway over an ever-increasing subject territory; it differed only in scale from the earlier dominion of Athens and Carthage, from the later dominion of Bern and Venice. Under the Empire this municipal character died away, the Roman citizen and the provincial became alike the subjects of Cæsar; in process of time the rights, such as they were, of the Roman citizen were extended to all the subjects of the Roman monarchy. During the middle ages, the strange spec-

tacle was exhibited of a Greek and a German disputing the title of Roman Emperor, while Rome itself was foreign ground to both alike. But this was only the full development of a state of things which had begun to arise, which indeed could not fail to arise, long before the period commonly assigned for the termination of the genuine Roman Empire. The importance of the capital even under the Emperors, far surpassed that of the capital of a modern state. But it was no longer what it had been under the Republic. When from the Atlantic to the Euphrates all were alike Romans, the common sovereign of all ceased to be bound to Rome itself by the same tie as the old Consuls and Dictators. Rome gradually ceased to be an imperial residence. Constantine can hardly be said to have transferred the seat of empire from Rome to Constantinople. He fixed at Constantinople a throne which had already left Rome, but which had as yet found no other permanent resting-place. His predecessors had reigned at Milan and Nikomedeia; his successors reigned at Ravenna and Constantinople. Constantius and Honorius did but occasionally visit Rome; more peacefully, indeed, but quite as transiently, as the Ottos and Henrys of a later age. And when the seat of government—always for a large part, sometimes for the whole—of the Roman Empire was permanently transferred to Constantinople, it is wonderful to see how truly that city became, as it was called, the New Rome. Greece, indeed, eventually asserted her rights over the old Megarian city; the Byzantine Empire gradually changed from a Roman to a Greek state; but at what moment the change was accomplished it is impossible to say. Up to the coronation of Charlemagne, the Byzantine monarch was at least nominal lord of the Old as well as the New Rome. With Charlemagne begin the various dynasties of German Cæsars, keeping up more local connection with Old Rome, but much less of the true Roman tradition, than their rivals at Byzantium. There is at least thus much to be said for the point chosen by Arnold, that down to the coronation of Charlemagne there was still one undisputed Roman Empire and Roman Emperor. Heraclius and Leo ruled Italy from Constantinople, as Diocletian had ruled it from Nikomedeia. After the year 800 East and West are formally divided; there are two Roman Empires, two Roman Emperors. Of these, the one is rapidly tending to become definitively German, the other to become definitively Greek.

We know not to what point the author of the history before us designs to carry on his work. As yet he has carried it up to the establishment of a practical monarchy under the first Cæsar. He shows how one Italian city contrived to conquer the whole Mediterranean world, and how inadequate the muni-



cial government of that city proved itself to be to the task of ruling it. This is indeed a subject, and a very great subject, by itself; it is one of the greatest of political lessons; it is, in fact, the whole history of the City of Rome as the conquering and governing municipality; what follows is the history of the Empire, deriving its name from the city, but becoming gradually divorced from it. The point which M. Mommsen has now reached might almost be the termination of a "*Geschichte von Rom*;" but his work calls itself a "*Römische Geschichte*," and may therefore be fairly continued to almost any point which the historian may choose to select.

M. Mommsen's *Roman History* is, beyond all doubt, to be ranked among those really great historical works which do so much honour to our own day. We can have little hesitation in pronouncing it to be the best complete Roman history in existence. For a complete history, as we have just shown, we may call it, even as it now stands; it is not a mere fragment, like those of Niebuhr and Arnold. And even the ages with which Niebuhr and Arnold have dealt may be studied again with great advantage under M. Mommsen's guidance. And the important period between the close of Arnold's third volume and the opening of Mr. Merivale's history M. Mommsen has pretty well to himself among writers who have any claim to be looked upon as his peers. In short, we have now, for the first time, the complete history of the Roman Republic really written in a way worthy of the greatness of the subject. M. Mommsen is a real historian; his powers of research and judgment are of a very high order; he is skilful in the grasp of his whole subject, and vigorous and independent in his way of dealing with particular portions. And an English critic may be allowed to add, that his book is far easier and more pleasant to read than many of the productions of his learned fellow-countrymen.

At the same time, there are certain inherent disadvantages in the form and scale of the work. M. Mommsen's history, like Bishop Thirlwall's, is one of a series. Most readers of Bishop Thirlwall must have observed, that the fact of writing for a series, and a popular series, threw certain trammels around him during the early part of his work, from which he gradually freed himself as he went on. M. Mommsen's work is the first of a series, the aim of which seems to be to popularise—we do not use the word in a depreciatory sense—the study of classical antiquity among the general German public.\* Dr.

\* "Es wird damit eine Reihe von Handbüchern eröffnet, deren Zweck ist, das lebendigere Verständniss des classischen Alterthums in weitere Kreise zu bringen." (A series of handbooks is commenced by this work, whose purpose it is to bring the more living comprehension of classical antiquity within the reach of a wider circle of readers.)

Schmitz, in his preface to the chapters translated by Mr. Robertson, speaks of it as "a series of books intended for the upper classes in the public schools of Germany." Neither purpose would allow of much citation of authorities, or of much minute discussion of controverted points. In either case the writer speaks as a master to an audience whose business it is to accept and not to dispute his teaching. But this mode of writing has its disadvantages when applied by a bold and independent writer like M. Mommsen to a period of the peculiar character which belongs to the early history of Rome. That history, we need not say, is one which does not rest on contemporary authority. That Rome was taken by the Gauls appears to be the solitary event in the annals of several centuries which we can be absolutely sure was recorded by a writer who lived at the time.\* Yet of these ages Dionysius and Livy give us a history as detailed as Thucydides can give of the Peloponnesian War, or Eginhard of the campaigns of Charles the Great. Till the time of Niebuhr, none but a solitary sceptic here and there hesitated to give to the first decade of Livy a credence as unhesitating as they could have given to Thucydides or Eginhard. And such sceptics commonly carried their unbelief to so unreasonable an extent as rather to favour the cause of a still more unreasonable credulity. Till Arnold wrote, Hooke's was the standard English History of Rome; there are apparently some even in our own generation who regard it as still entitled to the place of honour† Now, though Hooke's four stately quartos stand in due order on our shelves, we cannot boast of so intimate an acquaintance with them as with the smaller volumes of Arnold and Mommsen; but we do know enough of their contents to perceive that Hooke had no more idea of doubting the existence of Romulus than he had of doubting the existence of Cæsar. Then came the wonderful work of Niebuhr, which overthrew one creed and set up another. The tale which our fathers had believed on the authority of Livy sank to the level of a myth, the invention of a poet, the exaggeration of a family panegyrist; but in its stead our own youth was called upon to accept another tale, told with almost equal minuteness, on the personal authority of a German doctor who had only just passed away from among men. Niebuhr's theory, in fact, acted like a spell; it was not to argument or evidence that it appealed; his

\* See the latter part of the 12th chapter of Sir G. C. Lewis's *Credibility of Early Roman History*. It seems clear that Greek contemporary writers did record the Gaulish invasion; possibly the account of Polybius may fairly represent their version of the event.

† We have seen the advertisement, but only the advertisement, of a history of the Roman emperors by the Rev. R. Lynam, the object of which is professedly to fill up the interval between Hooke and Gibbon.

followers avowedly claimed for him a kind of power of "divination." Since that time there has been, both in Germany and in England, a reaction against Niebuhr's authority. The insurrection has taken different forms: one party seem to have quietly relapsed into the unreasoning faith of our fathers.\* Others are content to adopt Niebuhr's general mode of inquiry, and merely to reverse his judgment on particular points. This is the case with the able but as yet fragmentary work of Dr. Ihne.† Finally, there comes the party of absolute unbelief, whose champion is no less a person than the late Chancellor of the Exchequer. Beneath the Thor's hammer of Sir George Cornwall Lewis the edifice of Titus Livius and the edifice of Barthold Niebuhr fall to the ground side by side. Myths may be very pretty, divinations may be very ingenious, but the right honourable member for the Radnor boroughs will stand nothing but evidence which would serve to hang a man. Almost every child has wept over the tale of Virginia, if not in Livy, at least in Goldsmith. Niebuhr and Arnold connect the tragic story with profound historical and political lessons; but Sir Cornwall coldly asks, "Who saw her die?" and as nobody is ready to make the same answer as the fly in the nursery legend,—as Virginius and Icilius did not write the story down on a parchment roll, or carve it on a table of brass,—he will have nothing to say to any of them. "That the basis" of the decemviral story "is real, need not be doubted."‡ But that is all; how much is real basis, how much is imaginary superstructure, Sir Cornwall Lewis cannot undertake to determine.

To that large body of English scholars who have been brought up at the feet of Niebuhr, but who have since learned partially to reject his authority, there will be found something unsatisfactory, or perhaps more truly something disappointing, in M. Mommsen's way of dealing with the kings and the early republic. The spell of Niebuhr's fascination is one not easily broken: it is, in fact, much more than a spell; the faith with which we looked up to him in our youth was exaggerated, but it was not wholly misplaced. Sir G. C. Lewis has, beyond all doubt, done a permanent service to historical truth by convicting Niebuhr of an enormous amount of error in detail—of inaccuracies, inconsistencies, hasty inductions, instances of arrogant dogmatism; but we cannot think that he has shown Niebuhr's general system to be a wrong one. His method, at

\* Sir G. C. Lewis quotes, as taking this line, "*Die Geschichte der Römer*, von F. D. Gerlach und J. J. Bachofen," with which we can boast of no further acquaintance.

† Researches into the History of the Roman Constitution. By W. Ihne, Ph. D. London, 1853.

‡ Credibility of Early Roman History, vol. ii. p. 292.

once destructive and constructive, is surely essentially sound. His doctrine that the current statement, probably far removed from the literal truth, still contains a basis of truth, Sir Cornwall Lewis himself does not venture wholly to deny. That a process, not indeed of "divination," but of laborious examination and sober reflection, may in many cases distinguish the truth from the falsehood, does not seem in itself unreasonable. Our own belief is, that Niebuhr's arrogant and self-sufficient dogmatism did but damage a cause which was essentially sound. Sir G. C. Lewis, while successfully demolishing the outworks, has made, in our judgment, no impression upon Niebuhr's main fortress. In such a state of mind, we cannot help looking at every page of the early Roman history as essentially matter of controversy; every step must be taken warily, no assertion must either be lightly accepted or lightly rejected, and no decision come to without weighing the arguments on one side and the other. It is therefore somewhat disappointing, not to say provoking, when in M. Mommsen's history of this period we find difficulties passed over *sicco pede*; when we find statements made which sometimes command our assent, sometimes excite our incredulity, but which, in either case, we never heard before, and M. Mommsen's grounds for adopting which we should, in either case, like to know. It is easy to see that M. Mommsen is quite capable of defending his own ground against either Niebuhr or Sir G. C. Lewis. We feel sure that he has gone carefully through every point of controversy in his own mind; we only wish that we ourselves might be admitted to witness the process as well as the result. We attribute no sort of blame to M. Mommsen for a defect which is inseparable from the scale and nature of his work. To have treated the whole subject controversially, to have examined every statement at length and cited every authority in full, would have swelled the book to an extent which would have been quite unpalatable either to the "upper classes of public schools" or to the "weitere Kreise" of the German advertisement. But it has the effect of rendering this part of M. Mommsen's work less valuable to the professed scholar than either that which precedes or that which follows it. He shines most in one portion in which he himself exercises a "divination" as ingenious and more sound than that of Niebuhr, and in another in which the whole business of the historian is to narrate and to comment upon facts whose general truth has never been called in question. The two subjects in dealing with which M. Mommsen has been most successful, and in truth equally successful, are the præ-historic age of the Italian nations, and the processes, military and diplomatic, by which a

single city of one of them attained to universal empire. It is greatly to his credit that he should have achieved such striking success in two subjects requiring such different modes of treatment.

It was from the chapters on the first subject, those published in an English translation\* by Mr. Robertson, that we first became acquainted with M. Mommsen's history, and formed our own impression of its merits. And though these chapters are, we think, the very best portion of the book, yet the impression thus formed has not on the whole been diminished by our present more extended acquaintance with its original form. These chapters form one of the very best applications that we have ever seen of the growing science of comparative philology. They show how much we may learn, from evidence which cannot deceive, of the history of nations for ages before a single event was committed to writing. We are thus enabled to go back to days earlier even than those which are, in a manner, chronicled by poetry and tradition. In the Homeric poems we have our first written record of the Greek people; a record undoubtedly setting before us a real state of things, and, far more probably than not, some real events and some real persons. But the whole is embellished with so much that is clearly fabulous, that we cannot undertake to assert how much of truth there is at the bottom. We can hardly doubt that Greeks, in a certain stage of social progress, warred on the coast of Asia; their leader may very probably have been a king of Mykenæ, and he is just as likely to have been called Agamemnon as any thing else. The Homeric poems probably contain far more of real history than this; but much farther than this we cannot venture to go; the very abundance of our materials overwhelms us. But comparative philology goes far beyond the tale of Troy, far beyond the settlement of the Hellenes in the land of the many islands and of all Argos. And its evidence is the surest evidence of all, evidence thoroughly unconscious. Comparative philology and præ-historic archæology do for man what geology does for his dwelling-place. The mode of inquiry is identical. We may, indeed, conceive minds to which it would fail to carry conviction. The phenomena of human language and the phenomena of the earth's strata may

\* Dr. Schmitz, in his preface to Mr. Robertson's translation, says, "On a careful comparison of the translation with the original, I have found it throughout correct; and the reader may feel assured that he has a faithful representation of the original." We do not know whether there is any edition of M. Mommsen's first volume later than our copy, from which Mr. Robertson may have made his translation. Compared with our edition, Mr. Robertson's is so far a faithful representation, that the substance of M. Mommsen's conclusions and arguments is there; but not only is the translation far from literal, but whole sentences are sometimes added, omitted, or transposed.

be alleged to be the result of accident. Different strata may not really represent different periods; the whole may be the result of one act of creation, on which the Creator may have impressed such appearances from its birth. So the resemblances between Greek, Teutonic, and Sanscrit, may be alleged to be no resemblances at all, to be accidental resemblances, to prove, if any thing, only the confusion of tongues at Babel. Certainly neither geology nor comparative philology can bring strict mathematical proof to bear upon the mind of a determined objector. Possibly, indeed, they might retort that even geometry itself has its postulates. When the geologist or philologist demands a certain amount of blind submission, he hardly does more than Euclid does himself, when he assumes, without proving, certain positions about parallels and angles, which, though undoubtedly true, are certainly not self-evident. Geology has made its way, it has become popular; hardly any one seriously disputes its conclusions. Comparative philology is still struggling; and its attendant, comparative mythology, is only just beginning to be heard of. The fact is, that to the uneducated mind the first principles of etymology are a great mystery. The real resemblances of words require a certain education to make them familiar; people catch at purely accidental similarities, and fail to grasp those which are essential. Multitudes of Englishmen learn German, and multitudes of Germans learn English,—learn perhaps to speak and write either tongue like natives,—without ever finding out that the initial *z* of one language answers to the initial *t* of the other. Multitudes learn French and Italian, and never get to know that in a large class of words *i* in one language replaces *l* in the other. We have no doubt that, out of the myriads of young ladies who learn both French and German, the large majority both of teachers and pupils believe French to be the language more nearly akin to English. Comparative philology only requires a little faith at the beginning: the believer soon begins to see with his own eyes, and shortly makes discoveries of his own, which he in turn finds the outer world loath to put any faith in. And we are not sure that perverted ingenuity does not sometimes do even more harm than unbelieving ignorance. We once came across a book, whose name we have forgotten, which undertook to prove the identity of the early inhabitants of Gaul and Britain by the resemblance between the existing Welsh and French languages. Now it would be hard to find any two descendants of the original Arian stock which have less to do with one another than the speech of the modern Cymrian and the modern Frenchman. But a few traces of original identity do remain. And while Latin of course forms



the whole groundwork of French, a few Latin words have, naturally enough, strayed into Welsh. Between these two classes our writer gathered together a considerable stock of Welsh words resembling the synonymous French ones. *Cefl* was undoubtedly cognate with *cheval*; *eglwys* still more clearly so with *église*. Whether our philologist got so far as to see that *gospes* and *vêpres* were cognate also, we do not remember. But, at any rate, his collections quite satisfied him that the Celt of Gaul and the Celt of Britain were closely akin; a proposition which nothing could lead any one to doubt except the fact that it had been supported by such an extraordinary argument.

We need hardly say that the comparative philology of M. Mommsen is not exactly of the same kind as that of our Celtic searcher after truth. Starting from the doctrine of the common origin of the Arian nations, a comparison of their several languages enables him to construct something like a map of their wanderings. Of course he does not exhaust this vast subject; he merely touches on it so far as it bears on his own theme of the history of Italy. But what he does give us certainly kindles a very strong desire to see the whole subject examined in full detail by the same hand. His method of inquiry is something of this kind. By taking two of the cognate languages, and seeing what kind of words they have in common and what kind of words are different, we may ascertain at what stage of the migration they separated from one another, and may get some notion of the degree of social progress which they had reached at that time. Let us take a very familiar instance, which is not given by M. Mommsen. The words *ὑπόδημα*, *calceus*, and *shoe*, are totally distinct; the inference is that the original Arian went barefoot, and that the Greek, the Italian, and the Teuton arrived independently at the important invention so independently named. But, farther than this, *schuh* and *shoe* (A.-S. *sceō*) are identical, while *strumpf* and *stocking* are quite distinct. May we not infer that the Teuton had arrived at the use of shoes before the keels of Hengest and Horsa left the ancestral continent, but that the further development of stockings was independently reached by England and by Germany? This, in fact, applied to times of which not even tradition has been preserved, is the line of argument employed by M. Mommsen. It is one partially opened both by Niebuhr\* and by Dr. Prichard;† but it is more thoroughly worked out by M. Mommsen than we have

\* The remark, that the agricultural nomenclature in Greek and Latin is identical, the warlike nomenclature commonly different, has been repeated over and over again.

† See his remarks on the names of the metals in the Arian languages, vol. iii. p. 10.



ever seen it before. Thus the names of domestic animals are for the most part common to the whole group of languages ; but the terms for agricultural processes are different. The inference is, that the primeval Arians were a pastoral people, but had not as yet arrived at the stage of tilling the ground. The lowest stage of barbarism, in which man lives by hunting and fishing, was already passed, while Greek, Teuton, and Hindoo were still one people ; but that higher point of civilisation, which is marked by the practice of agriculture, was not reached till after the European and Asiatic members of the family had separated. Each made the happy invention separately, or learned it separately from some other race which had outstripped both. But farther than this, though the Sanscrit agricultural terms are distinct, some of the most important words, the names of the instrument which *ears* the soil, as well\* as the *mill* where the produce is ground, are clearly cognate to Greek, Latin, Teutonic, Slavonic, Celtic, and Lithuanian. The inference is, that the first rudiments of agriculture were learned or invented after the Asiatic Arians had departed, but while the European Arians still formed a single people. A step farther still ; in comparing Greek and Latin, we find not merely that a few of the simplest agricultural terms are cognate, but that a large portion of the agricultural vocabulary is all but identical. The inference is, that the Italians and the Hellenes remained one people after Teuton and Slave had separated themselves, and did not part till they had made some considerable advances in agricultural knowledge. It is most interesting also to watch the sort of names which these primeval inventors gave to their new discoveries. Those who have read—and every one ought to have read—Professor Max Müller's splendid Oxford Essay on Comparative Mythology, will remember how he shows that the various Arian languages and Arian creeds are mere fragments of a common stock. Every word, every myth, had originally a meaning ; in their fragmentary state both words and myths have often become meaningless. The names given to the new inventions were not arbitrary, but full of meaning. Their roots are to be found in the Sanscrit, but in a different, commonly in a more extended sense. Thus *venas* is any thing pleasant, especially a pleasant drink ; in Greek, Latin, and Teutonic, it obtains that more definite signification which attaches to *oĩvos*, *vinum*, and *wein*. *Aritram* in Sanscrit is identical with *ἄροτρον* ; but *aritrām* means not a plough, but an oar.\* This supplies us with a most poetical bit of primeval etymology. The craft of the oarsman was more ancient than that of the ploughman ; he who first used the plough saw his new implement throw up

\* Ἐρεμῶς is therefore cognate with ἄροτρον.

the earth as he had seen the water thrown up by the stroke of the oar: naturally enough he called his new instrument by the name of the old one. We reverse his metaphor, and talk of "ploughing the wave."

We do not remember to have read any thing for a long time past with a more intense interest than these portions of M. Mommsen's book; and we should strongly recommend even those of our readers who may not care to go through the whole work in the original, at least to master those portions which have been translated by Mr. Robertson. His general conclusions with regard to the earliest inhabitants of Italy are these. Ancient Italy contained three distinct races: 1st, the Iapygians in the south; 2d, those whom M. Mommsen distinctively calls "Italians" in the middle; and 3d, the Etruscans in the north and north-west. Their geographical position would seem to show that this was the order in which the three nations entered the peninsula. Of the Iapygians we know but little; history presents them to us only in a decaying state, and all we know of their language is derived from certain as yet uninterpreted inscriptions. This evidence, however, tends to show that their language was Arian, distinct from the Italian,\* and possessing certain affinities with the Greek. With this also falls in the fact that in historic times they adopted Greek civilisation with extraordinary ease. The Italians of M. Mommsen's nomenclature are the historical inhabitants of the greater portion of the peninsula. This is the nation the history of whose tongue and government becomes identical with that of civilised man; for of their language the most finished type is the Latin, and of their cities the greatest was Rome. The Etruscans M. Mommsen holds to be totally alien from the Italian nations; their language is probably Arian, but that is all that can be said. He rejects the story of their Lydian origin, and seems inclined to look upon Rætia as the cradle of their race. He makes two periods of the Etruscan language, of which the former one is to be found in those inscriptions on vases at Cære, or Agylla, which Mr. Francis Newman† quotes as Pelasgian. Into the interminable Pelasgian controversy M. Mommsen hardly enters at all. For that controversy turns almost wholly on points of legend or tradition, hardly at all on comparative philology. On the other hand, he passes by in silence yet more complete some theories the evidence adduced for

\* We are here merely expressing M. Mommsen's views, without binding ourselves either to accept or to refute them. We think, however, that he should at least have noticed the apparent identity of the names *Iapyges*, *Apuli*, and *Opici*, which, so far as it goes, tells against him.

† *Regal Rome*, p. 7. It is certainly hard to see how this sort of language can, as M. Mommsen supposes, have developed into the later Etruscan.

which is wholly of a philological kind. We mean the theory, supported by Mr. Newman and others,\* which sees a Celtic, and specially a Gaelic element in the old Italian population, and that† which supposes a race of Basque or Iberian aborigines to have occupied Italy before the entrance of its historical inhabitants.

The Italians, in M. Mommsen's special sense, were then a people closely allied to the Hellenes, and had made considerable advances in cultivation before the two stocks separated. The Italian stock again divides itself into two, the Latin and the Umbro-Samnite, the difference between which he compares to that between Ionic and Doric Greek. The Umbro-Samnite again divides itself into the Oscan and the Umbrian, analogous, according to our author, to the Doric of Sicily and the Doric of Sparta. In M. Mommsen's own words :

"Each of these philological phenomena (*Spracherscheinungen*) is the result of, and the testimony to, an historical event ; it may be inferred from them with complete certainty that a stock was separated from the common parent-stem of peoples and languages which included within itself the ancestors at once of the Greeks and of the Italians ; that from this stock next the Italians branched away, and that they again parted into the Western and Eastern stock, and then the Eastern again into the Umbrians and Oscans. Where and when these separations took place, language certainly cannot tell us ; and scarce does our audacious thought dare try to grope its way along the course of these revolutions (*diesen Revolutionen ahnend zu folgen*), of which the earliest doubtless happened long before that immigration which led the forefathers of the Italians across the Apennines."

Rome is, according to M. Mommsen, a city purely Latin, and the head of Latium. The Tiber was at once the boundary of Latium against the Etruscan stranger, and the natural highway for the primitive commerce of the early Latins. The site of Rome thus marks it out as at once the commercial capital of Latium and the great bulwark of the land against the Etruscan. Such were the earliest duties of Rome. It may have been merely by a happy accident that one of the Latin cities was placed on a site which enabled it to assume them ; it may have been founded expressly to discharge them, either by the common will of the Latin confederacy, or by the wisdom of some clear-sighted founder of unrecorded times. Rome may have been either the eldest or the youngest of Latin cities. But probability seems greatly in favour of her being rather the child than the parent of the League. All tradition represents Rome as an Alban, that is a Latin, colony. As soon as we get any thing like a glimpse of real history, we find Rome essentially

\* *Regal Rome*, pp. 17 et seqq.

† See Prichard, iii. 43.

a Latin city, we find her unmistakably predominant among the cities of Latium. But Rome is not only far greater than any other Latin city; she appears as something in a manner outside the League, in the very position, in short, likely to be assumed by a younger state which had outstripped its elders. She is a Latin city, she is closely connected with the other Latin cities; but she is hardly an integral member of their confederacy; in the times of her greatest recorded weakness she treats with the League as an equal; the single city of Rome is placed on an equal footing with the aggregate of the other thirty. And from the advantage which a single powerful state always has over a confederacy of smaller ones, the equal alliance between Rome and Latium grew into a practical supremacy of Rome over Latium. Rome under her kings clearly possessed this power, and, if she lost it by her revolution, she recovered it by the league of Spurius Cassius. Rome and Latium were formerly equal allies; the Hernicans were united in the league on the same terms; but it is impossible to doubt that Rome was the soul of the confederacy during the whole time of its existence. The Æquian and Volscian invasions, again, fell far more heavily upon the Latin allies than upon Rome herself. Many Latin cities were wholly lost, others were greatly weakened. These processes would of course greatly increase the proportionate importance of Rome; they would bring the Latins to look more and more to Rome as the natural head of their nation, and to demand, not independence, but union on closer and juster terms. The demands of the Latin allies at the outbreak of the great Latin War are a sufficient commentary on the relations between Rome and Latium. The feeling towards Rome was clearly that of excluded citizens under an oligarchy, rather than that of an oppressed nation under a foreign government. They do not ask to shake off the Roman yoke, to forsake the Roman alliance; they ask instead to become wholly Roman themselves. They are ready to abolish the Latin name and the separate existence of the Latin League. Their demands are almost identical with those of the plebeians in Rome itself hardly a generation earlier. As the Licinian laws required one consul to be a plebeian, the Latins now require that one consul shall be a Latin. The senate was to be half Latin; the Latin cities would probably have assumed the position of Roman tribes. Terms like these Rome held it beneath her dignity to grant; but after the conquest of Latium, the mass of the Latin nation did gradually acquire Roman citizenship in one way or another. This is, in short, the constantly repeated history of Rome and her allies, from the earliest to the latest period. Men do not seek to get rid of Rome as their ruler; they wish to

become Romans, and, in that character, to help to rule both themselves and others. The first recorded struggle, that between patrician and plebeian, is in its origin much more truly a struggle between distinct nations than between different orders in the same nation. But the demand of the plebeians is not to abolish the patrician government, but to obtain a share in it for themselves. It is only in some desperate moment, when every demand is refused, that they resort to the extreme measure of a "secession;" that is, in short, of leaving Rome, and founding a new city for themselves. To the struggle between patrician and plebeian succeeds the struggle between Roman and Latin; the Latin is only driven into a war against Rome when he cannot obtain his desire of incorporation with Rome. The Samnite wars, including those with their Etruscan, Gaulish, and Epeiroi allies, reduce the whole of Italy to the condition of dependent alliance with Rome. Italy is now gradually Latinised; but at the same time the yoke of Rome is found to be no light one. But no indications appear of any desire to throw it off, except in such strange exceptional cases as the solitary revolts of Falerii and Fregellæ. The Italians gradually assume the feelings of Romans; like the plebeians, like the Latins, they demand not independence, but complete incorporation. The claims of the Italian allies formed one of the most important political questions of the seventh century of the city. The rights of the Italians, admitted by the best men both of the senatorial and of the democratic party, were opposed to the vulgar prejudices of Senate and People alike. When each party had equally failed them, then the allies took arms, not for Samnite or Marsian independence, but for a new Rome of their own, a premature republican Constantinople, the city Italy. This new Rome, like the old, had its senate, its consuls, its prætors, its citizenship shared by every member of an allied commonwealth. Like the Latins of the fifth century, the Italians of the seventh were at last admitted piecemeal to the rights for which they contended. Every Italian was now a Roman; save where Hellenic influence had taken permanent root, all Italy was now Latinised. But by this time vast regions out of Italy had begun to be Latinised also. Latin civilisation spread over Spain, Gaul, and Africa; the policy of the Emperors tended to break down the distinction between citizen and provincial, and at length the franchise of the Roman city was extended to all the subjects of the Roman empire. Western Europe became thoroughly Romanised; even the Greek and his eastern proselytes became Roman in political feeling, and gloried in that Roman name which some of them still retain. In Syria and Egypt alone did the old national

feelings abide. Elsewhere, save some wild tribe here and there, the Mediterranean world was wholly Roman. Its unity was constantly rent by civil wars, by the claims of rival Emperors, by peaceful division between imperial colleagues. But from the Atlantic to Mount Taurus no Roman citizen thought of divesting himself of his Roman character. Emperors reigned in Gaul and Britain; but they were not Gallic or British sovereigns; they were still Roman Cæsars, holding a portion of the Roman Empire, and striving after the possession of the whole. During the whole history of Rome, both Old and New, from the first mythical King to the last phantom Emperor, it would be hard to find a case of a city or province, once thoroughly incorporated into the Roman system, which voluntarily separated itself from its Roman allegiance. Provinces might helplessly submit to foreign conquerors, but they never asserted their own national independence.\* Till Monophysite Egypt welcomed a deliverer in the Mussulman Arab, it does not appear that barbarian invaders ever met with actual co-operation within the Roman territory. Italy, indeed, in the seventh century of our era, revolted against the Eastern Emperor, and gave herself of her own free will to a Frankish master; but he came as a Roman Patrician, a Roman Cæsar, to assert the rights of the Old Rome against the usurpations of the New. Through the whole of this long series of centuries, all who come in contact with the original Romulean city,—the plebeian, the Latin, the Italian, at last the inhabitants of the whole Mediterranean world,—all gradually obtained the Roman name; and none of them willingly forsook it.

The workings of a law which remained in full force for above two thousand years have carried us far away from M. Mommsen's immediate subject. And yet we have perhaps not mentioned the earliest instance of its working. Rome, as we have said, is in his view strictly a Latin city. He indignantly rejects the notion of the Romans being a mongrel race, "*ein Mischvolk*," a union of elements from the three great races of Italy. Of the three old patrician tribes, the Titienses are, indeed, probably of Sabine origin; but they were Sabines thoroughly Latinised, who at most, as other incorporated nations did in later times, introduced some Sabine rites into the Roman religion. The really Latin character of Rome was no more affected than when, under the early Republic, the Sabine Attus Clausus, with his clan and following, were converted into the Claudian tribe. Here, then, in days totally unrecorded, before the struggles of Latin or of plebeian,

\* Whether the so-called revolt of Britain and Armorica in the fifth century is to be counted as a solitary exception, depends on two very difficult questions: 1st, How far had Britain and Armorica really become Roman? 2d, What is the meaning of the not very intelligible narrative in the last book of Zosimus?



we find the first instance of that inherent power of assimilation or incorporation on the part of the Roman commonwealth, which continued alike under kings, consuls, and Cæsars. The legend of Romulus is, in M. Mommsen's view, a comparatively late one, as is shown by the name of the eponymous hero being formed from the later form of the name of the city and people. The oldest form is not *Romani*, but *Ramnes*, that of the first patrician tribe; and that form points to the name of the Eternal City as being originally synonymous with our own Woottons and Bushburys: "so dass der Name *Roma* oder *Rama* vielleicht ursprünglich die Wald- oder Buschstadt bezeichnet."

The other point, besides the primeval archæology, where we thought M. Mommsen's treatment of his subject worthy of special admiration, was what we may call the diplomatic history of Rome. In Rome's gradual acquisition of universal empire two great stages are marked, the complete subjugation of Italy, and the conquest of Macedonia at the battle of Pydna. Our author quite rejects the notion that any deliberate and systematic scheme of universal dominion actuated the Roman Senate and People through successive centuries. War and conquest were undoubtedly as agreeable to them as they have commonly been to most other nations; but their distant acquisitions were in some cases almost forced upon them, and they continually drifted into foreign wars as much through the result of circumstances as from any deliberate intent. Thus it would certainly seem to have been throughout the period of Rome's greatest glory. Rome was at the true summit of her greatness, within and without, in the fifth and sixth centuries of her existence. The days of her early dissensions were over, those of her later dissensions had not yet arrived. The old political struggle between patrician and plebeian had become a thing of the past, the far more fearful struggle between rich and poor was still a thing of the future. The Romans of those ages not only knew how to win victories, they had learned the far harder lesson how to endure defeat. The victories of Pyrrhus and Hannibal would have broken the spirit of almost every other nation of any age. But the endurance of Rome was never shaken; she could endure to proclaim publicly in her forum, "We have been overcome in a great battle," and her senators could go forth to thank the defeated demagogue\* who had not despaired of the Republic. Her political constitution may seem an anomaly; the sovereign senate side by side with the no less sovereign popular assembly, the consul all-powerful to act, the tribune all-powerful to forbid, may seem inconsistent, impracticable, unable to be worked. But the proof is in two centuries with nothing

\* M. Mommsen seems to us unduly harsh on M. Terentius Varro, as well as on C. Flaminius. Arnold does them far more justice.



worthy to be called a civil commotion; the proof is in the conquest of Italy, in the repulse of Pyrrhus and of Hannibal, in tributary Carthage and tributary Macedonia. What the Roman system in these ages really was, is shown by the men whom it provided; men always great enough, and never too great; men ready to serve their country, but never dreaming of enslaving it. What was the true Roman national being is revealed to us in the hereditary virtues of the Decii and the Fabii, in the long-descended Scipio and in the lowly-born Curius and Regulus; we see it allied with Grecian culture in Titus Quinctius Flaminius, and standing forth in old Italian simplicity in Marcus Porcius Cato. Rome in these ages bore her full crop of statesmen and soldiers, magistrates and orators, ready to be the rulers of one year and the subjects of the next. But as yet she produced neither a traitor nor a tyrant, nor, in any but the older and nobler sense, a demagogue. We are not quite sure that M. Mommsen does full justice to this splendid period; he understands, but he does not always feel; his narrative constantly seems cold and tame after that of Arnold. We miss the brilliant picture of the great men of the fifth century,\* we miss the awful vision of Hannibal,† we miss the pictures of Gracchus and his enfranchised slaves, and of Nero's march to the "fateful stream" of the Metaurus. Both tell us how the old Marcellus died by a snare which a youth might have avoided; but in how different a strain! M. Mommsen gives us, indeed, the facts with all truth and clearness:

"When out on an insignificant reconnaissance, both consuls were surprised by a party of African cavalry; Marcellus, already a sexagenarian, fought boldly the unequal battle till he sank dying from his horse; Crispinus escaped, but died of the wounds received in the skirmish."<sup>‡</sup>

Turn we now to Arnold:

"Crispinus and the young Marcellus rode in covered with blood and followed by the scattered survivors of the party; but Marcellus, six times consul, the bravest and stoutest of soldiers, who had dedicated the spoils of the Gaulish king, slain by his own hand, to Jupiter Feretrius in the Capitol, was lying dead on a nameless hill; and his arms and body were Hannibal's."<sup>§</sup>

The policy of Rome during these two glorious ages had, according to M. Mommsen, for its primary object, first the acquisition, and then the retention, of a firm dominion in Italy. Its dealings with the provinces and with foreign states were simply means to secure this primary end. Italy was won; its various states were reduced to the condition of dependent allies. This

\* Arnold, ii. 272.

‡ Mommsen, i. 464.

† Ibid., iii. 70.

§ Arnold, iii. 354.

condition deprived them of all practical sovereignty, and made them in all their external relations the passive subjects of Rome. But they retained their own communal governments; they served Rome with men, not with money; and Rome's constant wars gave their individual citizens many opportunities of acquiring both wealth and honour. Doubtless, as they had constantly more and more to do with distant nations, they began to feel a wider Italian patriotism, and to glory in the triumphs which they helped to win for the greatest of Italian cities. This feeling on the one hand, and on the other hand the occasional excesses of Roman officers in more degenerate times, combined to bring about that yearning after full Roman citizenship which we have so often mentioned already. The old Latin League no longer existed; it had partly vanished from the earth, partly had been incorporated with Rome. But its place was in a manner filled by those Latin colonies, those children of Rome, which, for some not very apparent reason, were invested with the Latin, and not the full Roman franchise. These were, in fact, Roman garrisons, scattered over the peninsula, serving to watch over the allied states, and to keep them in due dependence. Such was the state of things from the Rubicon to the Strait of Messina. But the full and safe possession of Italy involved something more. Italy had no natural frontier nearer than the Alps; Cisalpine Gaul had therefore to be conquered. And looking beyond the Adriatic and the Libyan Sea, Rome had to settle her relations with the Carthaginian republic and the Macedonian kingdom. The balance of power was in those days an idea altogether unknown. To a modern statesman, transported into the third century B.C., the great problem would have been to preserve such a balance between Rome, Carthage, and Macedonia. No rational English, French, or Russian diplomatist wishes to make any one of the other countries subject or tributary to his own; his object is not positively to weaken the rival state, but merely to repress any undue encroachment. But from a Roman point of view, for Rome to be strong, it was necessary that Carthage and Macedonia should be absolutely weak. It may possibly be doubted whether the modern system does not bring about just as many material evils as the other; but the theory is quite different. A war between Rome and Carthage could terminate only in the destruction, or at least the deep humiliation, of one or other of the contending powers. But let France and Austria go to war to-morrow, and the result will not be that either Paris or Vienna will cease to be the capital of a powerful and independent state; those who pay the price will be the unhappy scapegoats of Lombardy or Wallachia. But in the view of a Roman statesman, Italy could only be strong at the direct expense of

Carthage and Macedonia. A first war with Rome, like a modern war, involved at most only pecuniary compensation, or the loss of some distant dependency; but a second carried with it the loss of political independence; a third involved total destruction. Thus the first Punic war cost Carthage Sicily and Sardinia, the second made Carthage a dependent state, the third swept her away from the face of the earth. The first Macedonian war had results little more than diplomatic; the second reduced Macedonia to a dependent condition; the third annihilated the kingdom, cutting it up into four separate commonwealths; the fourth, if it deserve the name, made Macedonia a Roman province. The difference in the processes of the two conquests is a good commentary on M. Mommsen's theory. The problem was for Rome to preserve a direct and unshaken dominion over Italy; every thing beyond was only means to this end. But Sicily and Sardinia were natural appendages of Italy; their possession by a state of equal rank might be directly dangerous. Rome therefore required their cession; that of Sicily by the terms of peace with Carthage, that of Sardinia as the price of its continuance a few years after. Their possession was almost as necessary as the possession of Cisalpine Gaul. But Macedonia had no such threatening possessions. The first treaty with Philip was concluded nearly on equal terms; the Macedonian frontier was simply "rectified" by the loss of some points and the addition of others. Macedonia, again, had to pass through a more gradual descent than Carthage. Even the third war, the war of Pydna, did not involve desolation, or even formal incorporation with the Roman dominion; clearly because Macedonia had sent no Hannibal to Cannæ, and her total humiliation was not so clearly an Italian necessity as that of Carthage.

The original Roman system, then, was to maintain direct rule in Italy; to tolerate no equal power, but to weaken all neighbouring states, to reduce them to what M. Mommsen calls the condition of clientage. But it is evident that this system could not fail to lead Rome more and more into the vortex of distant conquest. It is just like our own dominion in India, where we have our immediate provinces and our client princes exactly analogous to those of Rome. In either case, when intermeddling has once begun, there is no way to stop it. Policy, or even sheer self-defence, leads to one conquest, that conquest leads to another; till at last annexation is loved for its own sake, the independent state becomes a dependency, and the dependency becomes a province. The Roman policy of surrounding Italy with a circle of weak states did not answer; it exposed her all the sooner to the necessity of a struggle with the powerful states which still remained behind. Make Macedonia first

a dependency and then a province; that process only involves the next stage of doing the like by Syria: do the like by Syria; that only involves an attempt to do the like by Parthia, with which the like cannot be done. In this last particular case, M. Mommsen shows very clearly that the result of the Roman policy was most hurtful alike to the immediate interests of Rome and to the general interests of the world. The monarchy of the Seleucidæ, the truest heirs of Alexander's empire, whatever else it was, was at least, then and there, champion of European cultivation. It was the bulwark of the West against the East, the successor of Miltiades and Agesilaos, the precursor of Leo the Isaurian and Don John of Austria. Now the policy of Rome brought the Syrian monarchy to precisely that point in which the King of Antioch could not defend his own eastern borders, and in which it was not as yet either the palpable duty or the palpable interest of Rome to defend them for him. The effect of this is pointed out by M. Mommsen in a brilliant passage, which shows how well he understands the relation of his own immediate subject to the general history of the world.

"This transposition (*Umwandlung*) of international relations in central Asia is the turning-point in the history of antiquity. In place of the flowing tide of peoples which had hitherto poured from West to East, and which had found its last and highest expression in the great Alexander, the ebb now begins. From the date of the foundation of the Parthian kingdom all the Hellenic elements, which might yet have held their ground in Bactria and on the Indus, are not only lost, but even western Iran shrinks back again into the track abandoned centuries ago, but not yet obliterated. *The Roman Senate sacrifices the first essential fruit of the policy of Alexander, and therewith initiates that reactionary movement whose last offshoots end in the Alhambra of Granada and in the great Mosque of Constantinople.* So long as the country from Ragæ and Persepolis to the Mediterranean still obeyed the King of Antiochia, so long Rome's power too extended to the border of the Great Desert; the Parthian kingdom, not because it was so very powerful, but because its centre of gravity was far away from the coast, in central Asia, could never become one of the dependencies of the Mediterranean empire. Since the time of Alexander, the world had belonged to the Western nations alone, and the East appeared to be, in relation to them, only what America and Australia became in later times in relation to the European nations. With Mithridates I. the East again entered the circle of political movement. The world had again two masters."\*

But mixed up with much of the policy of Rome's eastern

\* Vol. ii. p. 59. We are not quite sure, however, that M. Mommsen has not too closely identified the Parthian dominion with the native Persian race and religion. The rise of Parthia was, as he describes it, a great reaction of the East against the West. But the Parthians seem to have been not quite impervious either to Christianity or to Greek cultivation. The final blow was struck by the reëstablishment of a really national Persian state in the third century A.D.

dealings there was, according to M. Mommsen, a large amount of what would nowadays be called philhellenic feeling. That the Roman senate, as Bishop Thirlwall says, surpassed all recorded governments in diplomatic skill, we can readily admit; and yet it need not be necessary to attribute all their doings to some unfathomably subtle line of policy. To hold that Rome acted, through a long series of years, on a deliberate plan of gradual conquest; that she systematically made use of her allies, and cast them off when they were done with; that she formed a league with a state with the settled purpose of reducing it to a dependency in the next generation, and to a province in the generation after that,—is really attributing to what is, after all, an abstraction rather too much of the attributes of a living and breathing man. The characteristics both of the Roman nation and of particular Roman families have so strong a tendency to pass on from father to son, that Rome does assume something more like a personal existence than almost any other state. Venice and Bern are the two nearest parallels in recent times. But the policy even of Rome or Venice still, after all, means the policy of the men who at successive times took the lead in the Roman and Venetian republics. Even in those grave senates every thing was not so much matter of precedent and tradition that no fluctuating circumstances, no individual passions could ever affect their deliberations. States, like individuals—for the decisions of states are really the decisions of individuals—commonly act from mixed motives; and as most men would feel no small difficulty in analysing their own motives, we may feel still more difficulty in analysing those of the Roman senate. So much generosity as to exclude all care for self, so much selfishness as to exclude all thought for others, are both of them the exception in human affairs. Act generously, provided it does not seriously damage yourself, is, we fancy, the commonest rule both with rulers and with private men. There is no occasion to suppose that when Flaminius proclaimed liberty to Greece, it was mere hypocrisy on the part either of him or of his government. But we cannot suppose that either Flaminius or the Roman senate would have knowingly sacrificed a jot of Rome's real power or real interest to any dream of philhellenic generosity. It is easy, however, to see that a strong philhellenic feeling did really exist in the mind of Flaminius and of many other Romans of his day. Greece was then newly opened to Roman inquirers; Greek civilisation and literature were beginning to make a deep impression upon the Roman mind, both for good and for evil. The famous cities of Greece were already places of intellectual pilgrimage. The natural result was that, for at least a generation, both Greek allies and Greek

enemies received better treatment than allies or enemies of any other race. Achaia and Athens were favoured and, as it were, humoured to the highest degree not clearly inconsistent with Roman interests. But the tide must have turned considerably before Mummius destroyed Corinth, even before L. Æmilius Paullus was required, against his will, to destroy the Epirot cities. The phenomenon may well have been analogous to one of our own days with regard to the same land. A generation back men looked for results from the emancipation of Greece which were utterly extravagant and chimerical. The fashion is now to decry every thing to do with independent Greece, and to deny the real progress she has made, because impossible expectations have not been realised. In short, a generation of Mummii has, among ourselves, succeeded to a generation of Flaminii. M. Mommsen, we should observe, by no means shares or approves of the philhellenism of the victor of Kynoskephalai. He has throughout a way of dealing more freely with established heroes, of casting about censure with a more unsparing hand, than is altogether consistent with the sort of vague and half superstitious reverence with which one cannot help regarding the men of old. Indeed, he sometimes passes from criticism and censure into the regions of actual sarcasm, almost of mockery; he deliberately quizzes "Plutarch's men" with as little compunction as *Punch* quizzes the men of our own time. Contemporary events have brought this home very strongly to our mind. While reading M. Mommsen's account of what we may call the Lord High Commissionership of T. Quinctius Flamininus, we could more than once have fancied we were reading an attack in the *Times* or the *Saturday Review* on him whom modern Hellas delights to honour as ὁ περίφημος καὶ φιλέλλην Γλάδστων.

M. Mommsen, following Polybius, makes the battle of Pydna one great stage in his history. Rome's work of conquest was now practically over; there remained little to do but to gather in the spoil. She had yet many battles to fight, many provinces to win, but there was no longer any Mediterranean power able to contend with her on equal terms for the lordship of the Mediterranean world. And now she began to show how little adapted her constitution was to administer a universal empire. Men generally look to this period of Roman history for arguments for or against monarchy, aristocracy, or democracy. Possibly all such may be found; but the most truly distinctive lesson which it teaches is one into which those questions do not immediately enter. That lesson is one which, to the nineteenth century, has become almost matter of curiosity; but it was a practical one as long as Venice ruled over Corfu and Kephala-



lenia, as long as the Pays de Vaud obeyed the mandates of the oligarchy of Bern. That lesson is this, one well set forth by M. Mommsen in several passages, that a municipal government is unfitted to discharge imperial functions. Such a municipal government may be either aristocratic or democratic; but in either case it governs solely in the interest of the ruling city. It need not be tyrannical—Bern was eminently the reverse; but the subject states, the provinces or dependencies, have no share in their own government, and their interest is not the object of those who rule them. This warning will of course apply to all states possessing colonies or dependencies; but the cause is not the same. The Roman government, with its senate, its popular assembly, its annually elected magistrates, was a government essentially municipal; it was fitted only for the government of a single city. It had, indeed, as if its founders had foreseen the danger, something of a representative element from the beginning. The ruling principle of the ancient city governments, aristocratic and democratic alike, was, we need hardly say, that every member of the ruling class, be that class the widest democracy or the narrowest oligarchy, should have his personal share in the government, should give his direct vote in the sovereign assembly. But the territory of the Roman city extended, at a very early period, over a region far too wide to have allowed every Roman citizen to have habitually appeared in the *comitia*. Had the voting gone by heads, the residents in the city would have had it all their own way. This was obviated by the tribe system. Each of the thirty-five tribes had one vote. On the day of election or legislation, half a dozen citizens from a distant tribe had the same voice as the hundreds or thousands of a nearer one. In fact, as Niebuhr suggests, those half-dozen rural voters might really be the chosen delegates of the hundreds or thousands of their neighbours. Hence the importance of the legislation of Appius Claudius, and of the counter-legislation of Fabius and Decius. Appius divided the freedmen, the *turba forensis*, the Lambeth and Tower Hamlets of Rome, among all the then existing tribes; that is, he put the votes of all the tribes into their hands. Fabius and Decius removed them all into the four city tribes, so that they could command four votes only. But even with this modification, the Roman popular assembly became, what it never became at Athens, a body utterly unmanageable, which could only cry "Yea, yea," to the proposals of the magistrates, and in which debate was out of the question. And, after all, senate and assembly alike represented purely Roman interests; the allies, still less the provinces, had no voice in either. It was as if the liverymen of London passed laws and appointed to



offices for the whole United Kingdom. Under the municipal system of Rome there was no remedy. Had Italy and the world been received into the old tribes, or mapped out into new ones, it would only have made the assembly yet more unwieldy than it was already. A representative or a federal system would have solved the problem without any sacrifice of liberty. But a representative system the ancient world never knew; though the Achaian, the Lycian, though, as we have seen, the Roman system itself, hovered on the verge of it. Federalism was, indeed, at work in its most perfect form in Lycia and Achaia; but it would have been in vain to ask Roman pride to have allowed conquered nations to set up senates and assemblies of equal rank with those of Rome herself. The monarchy of the Cæsars cut the knot another way: the provincial could not be raised to the level of the citizen, but the citizen could be degraded to the level of the provincial. They both now found a common master. The provincials no doubt benefited by the change. It is, indeed, true that the municipal origin of the Roman Empire, and the covert way in which monarchy gradually crept in under republican forms, caused the capital to retain an undue importance, and made first Rome and then Constantinople to flourish at the cost of the provinces. But the evil was far less under the Empire than under the Republic. The best Emperors did what they could to govern in the interest of the whole Empire, and the worst Emperors were most terrible to those to whom they were nearest. The overthrow of the Roman Republic, the establishment of the Cæsarean despotism, was the overthrow of the very life of the Roman city; but to the Roman Empire it was a bitter remedy for a yet more bitter disease. It proves nothing whatever in favour of despotism against liberty; it establishes no law that democracy must lead to military monarchy. Athens and Schwitz had to bend to foreign invaders; but no Prytanis or Landamman ever accomplished a *coup-d'état*. What it does prove is, that a single city cannot govern an empire; that for a subject province one master is less formidable than 700,000. Those 700,000 citizens were, among themselves, a frantic mob rather than a legitimate democracy: as against the millions of Roman subjects from the Atlantic to the Euphrates, they were an oligarchy as narrow and exclusive as if they had all been written in the Golden Book of Venice. The experience of the last age of Roman history proves nothing against any form of liberty, be it Athenian democracy, English monarchy, or Swiss or Achaian federalism. If it gives us any immediate practical warning, it is a warning against the claims of overgrown capitals. It has lately become the fashion to call the seat of government

the "metropolis," and the rest of the kingdom the "provinces;" names unknown to English law, and alien to all English feeling. If we begin to give eight members to the Tower Hamlets, the words may possibly begin to have a meaning; and Manchester and Arundel, Caithness and Tipperary, may alike have to look out for a Fabius and a Decius to deliver them from the *turba forensis* of a single overgrown city.

### ART. III.—SOCIAL INNOVATORS AND REFORMERS.

*Social Innovators and their Schemes.* By William Lucas Sargant. London: Smith, Elder, and Co., 1858.

1848. *Historical Revelations: inscribed to Lord Normanby.* By Louis Blanc. London: Chapman and Hall, 1858.

*An Outline of the various Social Systems and Communities which have been founded on the Principle of Coöperation.* London: Longmans, 1844.

*Alton Locke, Tailor and Poet: an Autobiography.* By the Author of "Yeast," &c. Third Edition. London: Chapman and Hall, 1852.

*Self-help by the People: History of Coöperation in Rochdale.* By George Jacob Holyoake. London: Holyoake and Co., 1858.

THERE is no more promising feature in the social life of the present age than the ever-increasing importance which the interests of the lower orders assume in the estimation of the higher. The great peril of civilisation is the want of sympathy between different classes of society which inevitably arises from the decay of the old relations between them, and the gradual assertion of irresponsibility on the one hand, and of independence on the other. There is grave danger of "the division of society into horizontal layers," ill cemented together by ties of interest or affection; and it is a cheering thing to see that those who have leisure and education to comprehend the duties and difficulties of this condition are every year becoming more and more sensible of the weight of the obligations which still exist, and the strength of the natural bonds which no merely economic or social changes can weaken or dis sever. The old and visible connection of patron and client, lord and vassal, in all its manifold forms, is rapidly disappearing; and as it formed the strongest and closest tie between the rich and the poor, the educated and the ignorant, the men of thought

and the men of toil, we may well feel anxious in witnessing its dissolution. In the ages to which it belongs hardly any other bond would have been sufficiently powerful to hold society together. The strong would have been restrained by no sense of general human obligations from trampling on the weak; there was needed a special and personal relation between them as protector and dependent. Reverence for law, order, and right, would hardly have kept the poor from violent attempts to despoil the rich; but the mutual regard generated by habitual dependence and avowed responsibility secured the patron from the violence of those over whom he held a sort of paternal authority. Now that these ties are severed, there is still sufficient force in the improved sense and knowledge of all classes, and in the universal reverence for law which is especially characteristic of Englishmen, to prevent any violent disturbance of social order. But there might nevertheless be much reason to fear a gradual and insensible separation between the component elements of society; a total alienation of feeling, interest, and sympathy between its various classes; a complete isolation of every rank and order in its own narrow circle of thought and action,—which might work eventually worse disasters than a single and violent convulsion. From the terrible shocks of a social revolution a strong and healthy community may hope to recover; the gradual corruption of social disorganisation weakens the most powerful beyond the hope of cure.

This might have been our case, and probably would, if the moral improvement of the higher classes had not kept pace with the material emancipation of the lower,—if, as the immediate and special relations between them were modified or abrogated, deeper and more general relations had not been brought into view,—if the obligations of Christian neighbourhood had not succeeded those of feudal protection in the minds of the rich and influential, and if the ties of a common humanity had not been more strongly felt as those of direct dependence were one by one dissolved. That this has been so, in England at least, we have much reason to rejoice; that it is increasingly so is the most hopeful promise of our future; that it is not so in all cases,—that the regard of the rich for the poor is far less deep and less general than it ought to be,—is the worst evil of our present. It is this feature of English society, the existence of many of the feudal sentiments in a purer form, and under a higher sanction, when feudalism has ceased to be,—the fact that still “the great man helps the poor, and the poor man loves the great,”—that has given to England all the peculiar stability and security which she

alone among the nations possesses; and it is precisely where this is the least the case—in our great cities and commercial towns, where the rich and the poor are most separate and most antagonistic—that discontent is loud, and that the evils of our present state of transition are most keenly felt. There the individual relations of employer and employed, of capitalist and labourer, are narrow and limited, rarely extending far beyond the walls of the factory or the warehouse; there the working man is most independent, and the man of wealth, at once from want of leisure, want of opportunity, and want of inclination, is least disposed and least able to concern himself personally in the well-being of those who are indeed his neighbours, but who are not his dependents. There the gulf between the higher and the lower classes is fearfully wide; and it requires much courage, and some judgment, to overleap it. Flinging gold and silver into it will not close it, any more than it would suffice to close the yawning chasm in the Forum of old Roman legend. If money would do what is wanted, if it would meet all the needs of the case, there would be nothing to complain of; money—to the shame of malevolent agitators be it recollected—is always forthcoming for schemes of mercy and charity once fairly brought under the notice of those who have money to give. But something more is wanted, both to meet the need of the poor, and to satisfy the moral sense of the rich. And the proof that the latter are aware of this may be found in the interest which, as a class, they show in all schemes and suggestions affecting the welfare of their less fortunate countrymen. The study of political economy is becoming every year more and more a necessary part of a liberal education, and economic science is ever more and more directed towards the amelioration of the condition of the masses. The individual man of property and station may perhaps be selfish or stolid enough to regard such a topic with distaste or indifference; but he does not venture to parade those feelings even before his fellows. There is not—there never can be again—indifference among the earnest or thoughtful of the well-provided classes to the sufferings, the struggles, and the prospects of the poor. That contempt for their wishes, that recklessness of their interests, which was frequent and perhaps fashionable fifty years ago, would now be scouted as indecorous, if not immoral. The wealth of the wealthy, the study of the wise, the influence of the powerful, are in an ever-increasing degree at the command of those who can show how they may be used to elevate and improve the great body of the labouring population. “The condition of the lower classes” is, in one shape or another, the permanent and paramount question of

the day among the higher. All the resources of science, benevolence, and energy are brought to bear upon it; and if it be a question that can be solved by human skill and human industry, we have every reason to hope for a progressive improvement up to whatever limits may be imposed on our progress by the laws of nature,—limits of which as yet we know nothing, except that they are so far beyond our present cognisance that we need in no way trouble ourselves about their existence.

But, whatever may be our hopes for times to come, it is beyond question that the amount of social evil and human misery now existing is enough, if once we fairly realise its sum and meaning, to appal the most apathetic, and to dishearten the most hopeful. Perhaps it is as well that very few of us can fully realise it to ourselves, that the stupendous figures which exhibit it convey to our minds no idea at all commensurate with the facts. We may read of so many hundred thousand paupers; we may be told, and may be convinced, that there exist among us scores of thousands who live in crime, and live by crime; we may be astounded by statistics showing how great a fraction of the population of every large city live in squalid and pestilential cellars, in filthy and sickening courts; how many again literally have not where to lay their head, if it be not in some dark passage or under some vacant railway-arch: but we do not fully conceive—few of us even attempt to conceive—what a mass of human wretchedness, suffering, and degradation these figures represent. If we have any adequate idea of the misery of any one of these unhappy creatures, our imagination fails us in the endeavour to multiply that misery by the terrible totals before us. We may read with deep and thrilling interest such books as Mayhew's *Paved with Gold*, or Miss Caddell's *Home and the Homeless*; we may be thoroughly convinced of the truthfulness of the frightful pictures which they draw; but we seldom understand completely how large a portion of our countrymen live the life therein represented. The quantity of deep, dark, and hopeless wretchedness which infests our great towns is almost incalculable; and those who have once caught a glimpse of its extent, may be excused if they fall back into listless despair, or call for remedies on a scale as gigantic as the evil. There is enough in the horrors which a few days of study may reveal to plead for the pardon of men who seem to lose their sense and judgment in face of the revelation. The mass of misery existing is so enormous, and is withal crowded into so small a space, that it may well seem too great for the agency of those remedies which Nature always and incessantly applies

to all diseases, social and moral as well as physical. We may be impatient of the nonsense which many enthusiastic reformers utter, and may clearly apprehend the futility of their proposals, the injustice or the absurdity of their schemes; but we must not forget that, as one of the wildest and most violent among them declares, "much learning has made them mad;" that their extravagance is the natural impulse of a warm heart and honest purpose, uncontrolled either by clearness of perception or soundness of judgment. We have a right to expose their errors, inconsistency, and ignorance; we are bound to resist their plans, and to condemn the headlong haste with which they rush to conclusions on a subject of which they understand little or nothing; we must meet with severe reprobation their virulent denunciations of all who are cooler or wiser than themselves, their impatient rejection of the guidance of science, their culpable disregard of principle and detestation of prudence: but we cannot deny the excellence of their ultimate purpose, while we indicate the utter inadequacy of the means by which they would attain it, or the inevitable ruin which their schemes would entail upon society.

There are two classes of those who are striving to render themselves on a large scale social benefactors, whether by theoretic teaching or by practical experiment. First, there are those who properly deserve the title of Social Reformers, whose hopes are limited to improving society without aspiring to reconstruct it; who endeavour to ameliorate its condition and further its advancement according to the mode of development which hitherto, in every age and country, has been all but invariably adopted. Secondly, there is a class whom Mr. Sargant has aptly designated Social Innovators, who despair of any extensive improvement so long as the fundamental principles of social organisation remain what they now are; and who propose to create society, if not human nature, anew, upon an entirely different basis. The first, following nature, endeavour to make the most of the resources already provided, and the direction already given to human progress; the other party set aside all considerations of this kind, and desire to construct human communities according to some artificial scheme, from which they believe that all good may be evolved and all evil eliminated. Of the latter class are the St. Simons, Fouriers, and Proudhons; the Socialists and Communists of all ages and descriptions; Owen and Louis Blanc; perhaps, if we may judge by somewhat shadowy indications, the author of *Alton Locke*; and certainly the founders of the Rappite and Shaker communities. To the class of Reformers belong those who have done the work and led the thoughts of their genera-



tion—the promoters of the Anti-Slavery Society and the Anti-Corn-Law League; the founders of our reformatories and ragged schools, our refuges for the destitute and our penitentiaries for the fallen. Men of this class are not rare, we hope, in any country; in England their numbers are considerable, and we trust on the increase. The others have had their day with us; their strength was broken by the failures of Mr. Owen; but their school is still numerous in France, and finds a sort of toleration, though not favour, even from so high an authority as Mr. John Stuart Mill. The volume by Mr. Sargant, which stands at the head of this article, gives an interesting but often very inaccurate notice of some of the wildest schemes which have found favour with the theorists of France; and which are, perhaps, still worth the attention of the students of social science in this country, as containing, in the midst of a farrago of ignorance and absurdity, some germs and fragments of truth which merit preservation.

It is our object in the present paper to indicate briefly, first, the most important of those radical errors into which the socialist theorists fall, and those scientific certainties against which they blindly and vainly struggle; and next, the principle of some few of those experiments made by sober social *reformers*, which may compass, to a certain moderate extent, the same ends as those which stimulate the socialist theorists to their fruitless efforts, but which would attain them by the modest and gradual means alone likely to lead to any durable amelioration of present evils.

The first and most universal characteristic of the social innovator is a profound ignorance, and often a violent abhorrence, of political economy. Very generally he only knows enough of it to misstate a few of its leading propositions; sometimes he has studied and failed to understand it; most often he merely conceives of it as something which reasons where he can but declaim, which pauses where he is impatient to act, which perceives a necessity where he imagines tyranny, which presages danger where he sees only hope and promise. The ignorance which he generally displays of every thing which it is most essential that he should know would be often ridiculous, but for the mischiefs which are apt to ensue from the declamations of uninstructed enthusiasm on such perilous topics. Almost every one of the socialist writers is absolutely unable to comprehend the simplest law affecting the recompense of labour—that of demand and supply; hardly one of them is aware that competition can never force down wages below their natural level, because the competition of capital for employment is as keen as that of labour. Hardly one of them



recognises the fact that no arrangements can permanently keep the price of labour above the level at which competition fixes it, because a higher price would diminish the profits of capital below the rate which, in a given age and country, is necessary to promote accumulation. Nay, some of them actually denounce accumulation as an evil, and appear to think capital itself a superfluity; because they regard the savings of the capitalist as something taken from the remuneration of labour, not as something taken from the personal expenditure of the rich to give increased employment to the poor; because they regard the employer's profits as a deduction from the earnings of the employed, forgetting the enormous increase of value which their labour derives from the assistance of his capital. It would be a tedious task to accumulate instances of ignorance and misconception of this and similar kinds; but a few may be worth quotation, as a specimen of the capacity of these renovators of society for the arduous task they are eager to undertake. One writer, who has given a very readable account of "social systems founded on the principle of coöperation," maintains the exploded theory of over-production—that there can possibly be a general over-supply of all commodities in all the markets of the world—if not more wealth than mankind can use, yet more than they have means to pay for; just as if each portion of that wealth were not a means of purchase in itself. In another place, showing that in thirty years the price paid for the weaving of a given length of cloth had fallen from sixteen shillings to less than two shillings, he argues thence that the earnings of the operatives have fallen; wholly forgetting that during those thirty years the introduction of new machinery and the perfection of the power-loom had, as he mentions in another place, raised the weaver's rate of production from two to twenty pieces a week; so that, where he would formerly have received 32s., he would now, on the showing of this writer, receive 40s. a-week. We believe the earnings to be exaggerated in both cases; but the proportion is probably correct enough.

Mr. Owen appears to have remained during all his life unaware of the simple truth that demand for commodities is not demand for labour; that the wages of labour depend on the amount of capital employed in industrial enterprise, not on the markets open for the produce of industry; and actually believed that ample employment might be secured to every one, if only a standard of value were adopted not liable to be, like gold, restricted in quantity by any difficulties of production. Perhaps it is hardly fair to treat a writer so vague, confused, and incapable of clear conceptions or intelligible statement, as a representative of any order of thinkers. But a similar excuse

can hardly be made when we find a clergyman of the Church of England, a man of high ability, of liberal education, and of noble aims, putting into his works, without any indication of dissent, such passages as the following.\* No doubt we may rather attribute it to the artistic desire to represent vividly the feelings of the ignorant Socialist, than to any thing like full sympathy with the drift of arguments so completely worthless. Yet knowing as we do from the close of the same book that Mr. Kingsley so far sympathises with his socialist tailor as to believe that it needs a fundamental reconstruction of our economical system to renovate English society, it may be inferred that he does not by any means adequately appreciate the absurdities involved in the socialist argument we are about to cite.

"We sent up a memorial to Government about the army and police clothing system: we told them how it was the lowest, most tyrannous, most ill-paid of all the branches of slop-making; how men took to it only when they were starved out of every thing else. We entreated them to have mercy on us—entreated them to interfere between the merciless contractors and the poor wretches on whose flesh and blood contractors, sweaters, and colonels were all fattening; and there's the answer we got. . . . Read it! "Sorry to say that it is utterly out of the power of her Majesty's \* \* \* to interfere, as the question of wages rests entirely between the contractor and the workmen."

'He lies!' I said: '*if it did, the workmen might put a pistol to the contractor's head*, and say, "You shall not tempt the poor, needy, greedy, starving workers to their own destruction, and the destruction of their class; you shall not offer them these murderous, poisonous prices. If we saw you offering our neighbour a glass of laudanum, we would stop you at all risks; and we will stop you now." No, no, John, the question don't lie between workmen and contractor, but between workmen and contractor *plus* grape-and-bayonets.'

Has Mr. Kingsley ever fairly faced the truth, that if wages are low, it is because capital is not sufficient to supply all who desire employment with work at higher prices, and because those who would otherwise be unemployed *will* prefer "half a loaf to no bread"? Any forcible interference to raise the rate of wages implies the necessity of a larger capital to supply the same quantity of work; and as it tends to lower, and not to raise profits, it attracts no fresh capital into the trade. It results, then, in a diminished quantity of employment at higher wages; that is to say, more workmen absolutely unemployed, and less produce for the public. To increase the rate of wages without increasing capital, is to throw more men out of work; it gives a comfortable maintenance to a few, at the cost of the utter starvation of the rest: for when there is capital enough

\* See Mr. Kingsley's *Alton Locke*.

to employ all at remunerative wages, those wages will, by the competition of capital, be always secured to the workman ; when there is not, every shilling added to the remuneration of one man must be gained by the enforced idleness of another. But this the social innovator cannot understand, simple as the argument may appear. If he did, he would never commit the fatal error of attempting to regulate *ab extra* the bargain between capital and labour. Probably he imagines that the increased earnings of the workman would come from the diminished profits of the employer ; forgetting that (looking at the matter on any large scale) competition always tends to keep down profits to the lowest point which will secure the employment of capital, and that therefore it will not be worth the while of the capitalist to accept a smaller remuneration ; that instead of doing so, he will contract his business, diminish the number of his workmen, and yet be able to obtain from the public the same price for a smaller quantity of commodities, because less would not retain capital in the trade. If Mr. Kingsley fully understands these principles,—which we will not deny,—we think it might not have been wasted labour to find some appropriate organ for them in a work of art wherein the opposite or socialist view is set forth with so much fervour and skill.

We have now illustrated sufficiently the *general* want of familiarity with, or want of attention to, political economy and its laws which characterises most of the writers who sympathise more or less with Socialism. The special socialist schemes may all be classed under one or other of a few closely allied species. In every case, there is a great disposition to exaggerate the possible results of the proposed reconstruction, in consequence of an utter oblivion of the distinction between that which is essential and inevitable and that which is incidental and mutable—between social arrangements and economical laws. Those who desire to re-create the former, seem to ignore altogether the limits imposed by the latter. They do not recognise the clearly-drawn line between that province of improvement which is open to them and that vast region of necessity which is utterly out of their reach. And thus they are led to make gorgeous promises which it is at once evident that they can never perform ; to aim at the removal of evils which a little practical sense and sober study would have shown to be utterly out of the sphere of their proposed action. It is only one or two among them who have dreamed of the abolition of death,—the greatest and most intangible of necessary evils ; but many have, in their ecstatic visions, boasted of future triumphs almost as utterly out of their reach.

We now pass to a brief examination of socialist methods of

procedure, classified according to the scientific principles they violate. The whole of that part of economical science which treats of the *production* of wealth is equally applicable to any and every state of society; its laws are simple, clear, and absolute, and it is easy to test by them the effect of any social changes upon the aggregate wealth of a community. To sum up the whole in a few words, the requisites of production, in any state farther advanced than that of the rudest savages, are three—land, capital, and labour. The first is absolutely limited in quantity, and its productive power can only be increased by the application of both the other two elements to that object. In order, then, to obtain any increase in the aggregate production, there must be an increase in the quantity or in the productive power of capital or labour, or both. Any social change which causes such an increase in any way, increases the aggregate produce: though, if it only increase the *quantity* of labour, other things remaining the same, the law “of the diminishing proportionate return from land” diminishes the proportionate productive power of labour, while the quantity of produce *required* increases in proportion not to the productiveness but to the quantity of labour; and thus the community is worse off than before. That land will not yield double produce for double labour is well known; and, on the other hand, it is certain that a double number of labourers require a double produce; and it is thus clear that a mere increase in the quantity of labour, though tending to increase the aggregate wealth of society, diminishes that proportion of wealth to numbers which measures social prosperity. Therefore, any social arrangements which are to benefit society by increasing production must increase either the amount of capital, or the productive power of capital or labour, or both. It is not easy to perceive how any of the many schemes of the innovators would have such an effect.

But that part of their promises on which the Socialists dwell with most enthusiasm has reference to the second great branch of political economy—the distribution of wealth. Under the existing system, this is left to regulate itself by the law of nature, according to the conflicting interests of men; the law of society only interfering to see that no violence or fraud is allowed on either side, but for the rest considering men the best judges and guardians of their own concerns. This is the system of unrestricted competition, as carried out in England; the principle being so strong in itself as to be paramount every where, but being nowhere else formally acknowledged. Every where else the law interferes more or less frequently to regulate the limits of the conflict of interests—as by protection; or to

moderate its intensity—as by laws to regulate prices, interest of capital, or wages of labour. In every case where such interference has occurred, the result has been demonstrably mischievous. Where competition is left to its own operation, its effect is to distribute to each class of contributors to production—to the representatives of land, capital, labour employed in each branch of industry—a share of the produce, in proportion more or less exact to the degree in which society has need of the services of that class and the value which it sets on their productions. And as that value depends solely on the proportion of supply to demand, the effect of free competition is to drive producers of all classes to produce that for which there is demand—that which society wants; thereby effecting rudely and indirectly that “organisation of labour” which Socialism desires to achieve by direct enactment. Also, the proportion between the three elements of production which is necessary to the progress of society at each particular time or place is thus obtained. If land be in superabundance, capital and labour divide nearly the whole produce, and their rapid increase is thus encouraged; if capital be scarce, accumulation is encouraged by a high rate of profits; if population be over-crowded, a low rate of wages checks its increase till capital has time to outstrip it. At any period the proportionate remuneration of each of the elements of production marks the comparative desirability of its increase, and at the same time tends to cause that ratio of increase which it proves to be desirable. Socialism desires to do away with this law of distribution, and to substitute for it one based on arbitrary and fixed arrangements. It would secure the necessary balance of different kinds of produce by a direct mandate of the social rulers; but how it would effect the proper balance between the three elements of production generally, no one has yet told us. Economists know that such a balance must be found, but cannot divine how Socialism would provide it; Socialists, ignorant of the necessity, are careless how to meet it.

The Socialists generally desire, in the distribution of wealth, to regard individuals and not classes. Their rules of division are based, not on considerations of natural law or human prudence, but on the high ground of moral principle and abstract justice. They have devised various modes of distribution, all defended by reference to the same standard; of which the only one at all tenable or self-consistent is that enounced by Louis Blanc—one of the most clear-headed, honest, and impracticable among them: “*FROM each according to his capacity; TO each according to his needs.*”

This dictum of Louis Blanc embodies the essence of Com-

munism in its most perfect form, that form in which it appears as a demand for the absolute abolition of individual rights and property; in which society is presented as the sole owner of the land, capital, and labour of the community, treating its individual members as children of one family are treated by its head, each doing what he can, and each receiving what he needs. Similar to this are the schemes of Mr. Owen, M. Cabet, and others; while St. Simon, Fourier, and others,—who, with less logical sense, but more practical judgment, propose an unequal division of earnings according to certain rules,—are classed by Mr. Mill as Socialists but not Communists, the latter term being restricted to the school of which Louis Blanc is the ablest disciple. The Communist is eager to construct society upon principles of abstract justice, as he conceives them, with little regard to the immediate practical effect of such an arrangement. His idea seems to be, that every man has a right to be happy in proportion to his moral worth, and that his happiness consists in the abundance of the things which he possesses. Accordingly he would give as large a share to the man who achieves little work as to the man who performs much, assuming that each works according to his strength, and arguing that the strong man deserves no reward for being strong, and that the weak man ought not to suffer for his weakness. It would be a mere waste of time to meet him on his chosen ground with the argument that every man has a right to the fruits of his labour; that in entering on social life he parts with a portion of those fruits for the assistance of capital and the protection of the law; but that you have no right to make the strong man pay more for those blessings than the weak, which is certainly done when you give to each the same wages for different amounts of work. On the ground of abstract principle, which is too uncertain to afford a sure footing to any party, the communist is on pretty equal terms with the economist; when he descends to practical matters, which he is sooner or later compelled to do, he shows clearly enough his ignorance of the difficulties to be met, and the means requisite for meeting them. He begins by affirming, if the question be put, that the productive power of capital and labour will be increased by a system in which no man has a strong individual interest in being either thrifty or industrious; but if you press for the secret by which this increased productiveness is to be effected, nothing is to be had beyond vague declamation or tedious repetition of certain invariable formulæ. It is quite clear that, under a communistic system, the labourer loses every stimulus to exertion which at present exists; and it is not very obvious what substitute is provided. Mr. John Stuart Mill, the only man of economical



knowledge and sound judgment who has any thing to say in favour of Communism, and whose approval of its theories is hesitating and limited in the extreme, while admitting the full force of this objection, replies with considerable truth, though not altogether without exaggeration, by pointing to the very large proportion of labour which is at present performed by those who have no very strong personal interest in its results. There is undoubtedly very much reason and sense in the following passage, which states the case against the existing system far more forcibly than any Communist ever yet has done :

"But how small a part of all the labour performed in England, from the lowest paid to the highest, is done by persons working for their own benefit ! From the Irish reaper or hodman to the chief-justice or the minister of state, nearly all the work of society is remunerated by day-wages or fixed salaries. A factory operative has less personal interest in his work than a member of a communist association, since he is not, like him, working for a partnership of which he is himself a member. It will no doubt be objected, that although the labourers themselves have not, in most cases, a personal interest in their work, they are watched and superintended, and their labour directed, and the mental part of the labour performed, by persons who have. Even this, however, is far from being universally the fact. In all public, and many of the largest and most successful private undertakings, not only the labours of detail, but the control and superintendence, are intrusted to salaried officers. And though the 'master's eye,' when the master is vigilant and intelligent, is of proverbial value, it must be remembered that in a socialist farm or manufactory each labourer would be under the eye, not of one master, but of the whole community."

There is truth in all this ; but, though loth to differ from so profound and scientific a thinker as Mr. Mill, we think there is also a good deal of exaggeration. In the first place, wherever it is possible, as in the case of "the factory operative," work is paid by the piece, and the workman has as strong a personal interest in it as his master. Again, diligence is at present stimulated, especially in the case of skilled labour, by the desire to rise ; which ceases to exist in a state where all are on a level, and where ambition consequently finds no place, and can exercise no influence. Nor can we believe that the "eye of the whole community" would ever be so vigilant, or its influence so efficacious, as the eye of the master whose every interest is at stake, and whose whole mind is given to the success of his business. It is to be remembered, moreover, that the present arrangements of industry are by none affirmed to be what they ought to be ; that all employers of labour feel very strongly the desirability of giving every person whose



duties are more than mechanical a direct personal interest in their efficient performance; and that in due time this will certainly be done to an extent which will not only increase very greatly the productive power of capital and labour, but will achieve almost as great a union of interests, and quite as great an energy on the part of the workman, as Communism can ever hope to effect. The progress of the competitive, or natural, system of society will, in the gradual spread of experience and enlightenment, increase the productiveness of industry by motives far stronger—human nature being what it is—than any to which the most earnest and honest of Communists can appeal.

One only among them seems to have been dimly aware of this. The fundamental doctrine of Mr. Owen's teaching was the possibility and necessity of reconstituting humanity on socialistic principles. His creed involved two principles, each of them wrong, but both absolutely essential to the success of Communism as a scheme of general society. Firstly, man is the creature of circumstances; secondly, circumstances can be arranged by the will of man in any way that he will, so as to produce any desired effect on his fellow-man. From the first, it followed that men are just what they are made; from the second, that it is possible to make them any thing that we please. A belief in this creed was wisely made the essential condition of admittance into the socialist paradise where its truth was to be tested. Unhappily the dogma was falsified by the results of experiment; Mr. Owen failed in adjusting circumstances; circumstances did not prove absolute in their influence over the characters of men; circumstances could not be adjusted as he pleased; and ruinous failure was the consequence.

Tried on a small scale, under wise leadership, and with some stringent control, either religious or personal, to secure subordination, prudence, and industry, communistic experiments have sometimes had a temporary success. Superstition, frugality, and celibacy proved the foundation of a very flourishing colony of "Shakers" in America; ignorance and despotic authority secured for a while the success of Mr. Rapp's community at Economy, in Ohio; and one or two other institutions of a similar character have been successful whilst under the immediate personal direction of men whose acknowledged superiority commanded implicit obedience from their followers. But this element of absolutism seems necessary in every case; no popular government would possess the decision and authority requisite, where every detail of life must be directed by statute; where the daily food and daily labour of each member

of the society have to be allotted to him by the ruling power ; and where the distribution of tasks must be arbitrary, even if the produce be divided according to a fixed rule generally recognised as just. On a large scale, we cannot conceive the success of such an experiment to be possible.

St. Simon and Fourier—contemporaries belonging to the end of the last and the beginning of the present century—propounded social schemes not widely different from each other,—both abolishing the competitive principle, and reconstructing the world after their own fancy, but each recognising the law of unequal distribution as essentially just and natural. Fourier, whose work is far more elaborate than St. Simon's, descended into every detail of his scheme ; building in the air, not castles, but gigantic colleges of industry, in which all the members of each small community were to dwell in association and harmony, and the rules, plan, and arrangement of which he laid down with astonishing minuteness. He saw the practical necessity of providing due remuneration for capital, in order to give him a chance of carrying out his scheme ; he appreciated also the indispensability of skill and talent, and the necessity of rewarding them. But his plan for doing so is as absurd as any of the communistic schemes. He divides the produce into fixed shares ; allotting one-third to capital, one-fourth to talent, and five-twelfths to labour. It is hardly requisite to remark how absurd is the allotment of a fixed share to capital, whether fixed or floating ; whether it be or be not necessary annually to replace it. In the first case, that of floating capital, annually turned over, this share of one-third would seldom or never replace all that was expended. To imagine that it would, is to suppose that the total produce would be at least three times as great as the capital employed. In the case of fixed capital, which need not be annually replaced, the profit would be enormous. Suppose the produce to be twice as great as the capital, the owners of the floating capital would lose one-third of their property annually ; the owners of fixed capital—as machinery, buildings, &c.—would receive something like 66 per cent. In regard to the share assigned to talent, it is simply impossible to conceive how it would be apportioned. The labourer would probably find himself worse off than before ; the produce no greater, and his share of it even in many cases smaller than at present. On the rest of Fourier's scheme—its wonderful details as to the daily life of his disciples that were to be, the arrangement of the *phalanstères*, the changes of occupation once in every two hours, the assignments of tasks to different groups of labourers—it is not necessary to dwell : they involve blunders quite worthy of his fundamental

arrangement for the distribution of the common earnings, and show as little capacity for practical management as knowledge of economical principles.

Only one of the apostles of Socialism ever had a chance of trying his scheme on a large scale, namely, M. Louis Blanc. When the French Revolution of 1848 had placed him in the Provisional Government, his first demand was for a recognition of the right of every man to live by work, and his next for a public provision for the organisation of labour—the necessary result of the first concession. Backed, as his own narrative admits, by the threats of a mob which he did not attempt to restrain, and by the weakness of his colleagues, he partially succeeded, and was installed at the head of a Commission of Inquiry and Arbitration at the Luxembourg. Here, though without funds and without ostensible force, he succeeded in doing no little mischief; interfering to adjust the wages of labour at a rate higher than usual, during a time when trade was fearfully depressed and panic almost universal; and extorting from the employers, in that time of peril, acquiescence which it would hardly have been safe to refuse. He meant well, beyond a doubt; he believed that the capitalist had no right to the fruits of his abstinence—his profits; and that the labourer had a right to these, as well as to the fruits of his labour—his wages; and consequently he cared little how far he diminished the former for the sake of increasing the latter. Still worse in point of injustice and obliquity of moral vision was the demand which he made, that the State should assist with capital and custom certain associations which he established—his coöperative tailors at Clichy and other coöperative societies elsewhere. M. Louis Blanc is a very earnest, able, and honest man; but, like all Socialists, he sees nothing but his own great object; and, like most Frenchmen, his ideas of political morality and public justice are in lamentable confusion. The French republicans were to the last unable or unwilling to acknowledge the right of the nation to reject the Republic; they connived throughout at the pretensions of Paris to dictate to the whole of France, because they shared the convictions of the Parisians. No Englishman ever thinks of resisting the national will because it has pronounced against his cherished political faith; even the extreme republicans of Italy declare themselves ready to acquiesce in any form of government which Italy shall freely choose for herself. But even the more moderate of the French revolutionists were eager to force their theories on a reluctant people; so Louis Blanc, honestly convinced that his views were wise, just, and salutary, could not see that he had no right to carry them out at the

public expense. He could not see that the government has no right to favour one class or party at the expense of others; that it has no right to spend the public money for private purposes; that it has no right to award the public custom to any but those who will do the public work best at the smallest cost. The Provisional Government gave public employment to the coöperative societies, at the demand of their ardent colleague. The National Assembly did worse: they lent millions of francs from the treasury to these associations; took the money raised by taxation from the private capitalist, large or small, and gave it to his new rivals. This Louis Blanc calls tardy and reluctant justice; to us it seems to resemble the justice of the highwayman, who gave to the poor while he plundered the rich, but whose charity did not save him from the penalty of his thefts. The State has no right to interfere with the course of trade for the purpose of injuring one class and aiding another; and so flagrant an instance of unfair dealing as that complacently justified by M. Louis Blanc deserves our severest censure on the grounds of political justice as well as of public expediency.\*

There is not the least reason why coöperative societies of working men should not be formed, if the means exist to form them, on any terms which the coöperators like to establish. Their schemes may be wise and promising, or they may be wrong and impracticable; that is their own affair. No one has a right to hinder or hamper them. They have a right to do what they will with their own; and the State ought to see that they have fair play in so doing—ought to secure them against legal quibbles and difficulties which may impede their course, and to let them "start fair" in the race. Their success or failure concerns themselves alone, and should be left to their own skill and foresight; Government may not interfere either to forbid or to foster them. That disappointment and failure will, as a general rule, attend all really communistic experiments, is tolerably certain, because the experimenters expect far more than they can possibly realise. Their promises we have described already; we have shown how much there is which they cannot do: let us consider what really lies within

\* Louis Blanc has vindicated his political character from all connection with the *ateliers nationaux*, organised to feed, rather than to employ, the discontented artisans of Paris. He had nothing to do with that very foolish and mischievous organisation. Englishmen are so apt to do injustice to men of his stamp, that it is necessary, in condemning their schemes, to explain clearly what were their actual views, and what the errors they involved. Those of the Luxembourg Commission were very great; but hardly worse than those of many would-be economical writers of our own country, who are far enough from Socialism or Republicanism.

their reach, on the most favourable supposition. They cannot, as we have shown, hope to increase the total amount of produce in proportion to the number of the labourers; they must even run the risk of sacrificing something in their productive power to their principle of equal distribution. Men will always work hardest who work only for themselves and those who belong to them; and the energy of communist labour will be always less than that of piece-work, and will decrease with the increasing size of the community, which will reduce more and more the individual interest of each in his own work. But inequality of fortune, which exists at present in so disastrous a degree, would be abolished; there would be no very rich, and, at first, no very poor; there need be no sudden and distressing fluctuations of trade, or if there were, they would not bring a whole class of workmen into danger of starvation; and there need not be that waste both in production and distribution,—the waste of capital and labour in producing what is not wanted, and in an uneconomical system of distribution,—which now exists, if the “organisation of labour” could ever be realised. How far absolute equality of fortune would be an unmixed blessing, how far gradation of ranks and possessions is an unmitigated evil, is far more doubtful than the communist imagines. But one thing is certain—that only by extreme frugality, or by an unlimited command of land, would it be possible to preserve the balance between wealth and numbers in a society where self-interest kept no check on population. In an old and thickly-peopled country, a generation or two of Communism, with its removal of all prudential restraints, would reduce equality of fortune to a mere *égalité de misère*.

Nor is it conceivable how, in a communistic society of large extent, the division of tasks, the determination of the relative quantities of different articles which ought to be produced, and of the amount of capital and labour to be devoted to each branch of industry, is to be practically accomplished. How is this stupendous organisation of labour, so glibly boasted of, to be carried into effect? who can be intrusted with a duty so tremendous? who can judge how many shoes, how many coats, how many bushels of wheat a nation will need to consume or can afford to produce? who shall decide, when retrenchment is necessary, what article shall be dispensed with? who shall determine, when there is a surplus of labour and capital, to what purpose their energies shall be devoted? The idea of a Board of Control charged, as an important department of government, with all these affairs, is one truly appalling. First, the tyrannic nature of its powers is enough to revolt us; secondly, its functions would soon multiply beyond any human capability

of fulfilment. Statesmanship would break down and genius sink into imbecility before the monstrous task assigned to them. In a very small community such a board might exist, and might do its work ; on a great scale, whether as between man and man, or between association and association, the balance between production and consumption must be left to the regulation of the natural principles of competition and conflict of interests.

It may be fairly considered, then, that a communistic experiment on a large scale cannot be tried ; and that on a small scale its success is improbable, its perils great, and its best results such as might be better and more easily attained under the present system. This is true of all schemes of associated labour which, dividing profits by arbitrary and invariable rules, without regard to practical experience or to the actual constitution of human nature, neglect to appeal to those motives which most strongly stimulate thrift and energise industry. But there is of course nothing in the principle of association necessarily involving these seeds of inevitable failure. Co-operative stores, coöperative societies of any kind, violating no law of political economy, neglecting no consideration of prudence and policy, may succeed and have succeeded. Most heartily do we rejoice in their success ; most highly do we think of their possible utility. No social phenomenon of late years has given us greater satisfaction, as a proof of what the working classes may do for themselves, than the great prosperity which has been deserved and enjoyed by the coöperative societies of Rochdale. From the smallest beginnings they have raised themselves to the rank of a considerable commercial undertaking ; and the history which Mr. Holyoake has recently published of their struggles and their successes, though less concise, clear, and explanatory than it might have been made, has for us far more interest than narratives of financial undertakings, however grand and important, can often possess. The tale of the "Lilliputian capitalists," with their subscriptions of threepence a-week, and their hardly collected fund of 28*l.* wherewith to commence business ; of their hard and resolute fight with difficulties and discouragements ; of the dangers and embarrassment through which their vessel was safely steered ; of the high position and consequence which they have now attained,—is a tale of cheering promise to all who are anxious for the welfare of the masses, and who know that their welfare depends on what is done *by* them, not on what can be done *for* them. The Rochdale Coöperative Store is an achievement of which not only its authors, but the working class generally, have reason



to be proud. It has succeeded where not only Louis Blanc and Fourier, but where most of the coöperative societies set on foot by Messrs. Maurice and Kingsley, have signally failed. From first to last it has owed its foundation, its preservation, its character and its triumphs to the wisdom, self-denial, and resolution of working men. Almost its every member, from the poorest purchaser to the chairman of the Board of Directors, belongs, or at its commencement did belong, to the class that lives by the labour of its hands. It is a noble monument of the perseverance, wisdom, and energy which are possessed by some members of that class, and which would, had they been general, have saved them from the evils for which Socialism is offered as the only cure.

In 1844, the Society of Equitable Pioneers commenced operations in a small room in a back street of Rochdale, with a stock worth somewhat less than 15*l*., and with only forty members. The capital is now about 16,000*l*.; its annual profits not much less than 6,000*l*.; its members more than eighteen hundred in number. The store was originally open only two or three evenings, and its business was transacted gratuitously by the directors. Now its numerous warehouses are open as long as other establishments, crowded with customers, and attended by a sufficient staff of salaried officers. It has a library and a reading-room, on which it spends yearly more than 100*l*. As it never gives credit or takes it, it can lose nothing by bad debts, and has no complicated liabilities to encumber its accounts; which are therefore simple enough to be intelligible to all its members, and clear enough to command the confidence of a class which generally oscillates between credulity and suspicion. Great is the material improvement which it has effected in the condition of its subscribers. They are provided with unadulterated food and drink, always of good quality, at fair prices. They have a savings bank, which pays them five per cent interest; and a shop, in whose profits they share without trouble and with little risk. Many of them who in former days had not, and never expected to have, a sovereign in hand that was not pledged beforehand to redeem long-standing debts, have now 50*l*., 100*l*., or even more, to their credit in the books of the society, which they can draw on giving a few weeks' notice. As great is their improvement in independence of feeling and in moral elevation. They have received the best practical education that any large number of English working men ever enjoyed. They have learned courtesy, forbearance, patience; they have gained practical insight into many of the most essential principles of social science; they have been taught to judge men and things



far more wisely than their class generally do; have been instructed by experience to "accuse no man falsely, and be content with their wages." Above all, they have learned the dignity of self-reliance; the pride of being out of debt. There can be no more valuable lesson than these to the working man: till he has learnt these, he has no chance of rising either in material comforts or in social position; with these, his own talents, energy, and thrift may enable him to reach a far higher station than that in which he was born, and will at all events secure education for his children and independence for his age.

The Rochdale Store, considering itself as a purchasing agency for its members, divides its profits not in proportion to the capital paid in, but to the purchases made. This may at first sight seem strange; but at least there are plausible reasons in its favour. The purchasers are the proprietors; the store purchases on their account; and therefore considers the profits as belonging to them just as much as would be the case could they themselves make their purchases by wholesale, as it does for them. In regard to retail trade, this plan of distribution by coöperative agency, instead of by individual tradesmen, has advantages which coöperation does not enjoy in any other business. In ordinary retail dealing, there is excessive waste,—waste by employing three or four shops and shopkeepers to do the work of one, while each must make on a small capital a profit sufficient for his maintenance. Thus, if we take the income required by a small shopkeeper at some 50% a year, and suppose his capital to be 200*l.*, it is manifest that he must make a profit at the rate of twenty-five per cent; while a larger capitalist would think ten or fifteen a very ample return. The eighteen hundred customers of the Rochdale Store would probably be divided among some twenty shops in different trades, each having but a small capital, inadequately employed, and being therefore obliged to exact an exorbitant profit on each transaction; by association they can manage the business at less cost, and divide the profits among themselves: nor does their so doing violate any principle of political economy, or contradict any conclusion which might have been fairly drawn from practical experience and knowledge.

There is a corn-mill attached to the store, which is managed on the same principle. It is an agency for the purchase of corn and the distribution of flour, established for the benefit, principally, of a number of small coöperative stores established in the district. The greater part of the capital is owned by the "Pioneers," the title assumed by the society

which has established the store. But the profits, after interest has been paid on the capital invested, are divided, like those of the retail department, among the purchasers who are members, in proportion to their purchases; apparently on the ground we have stated, that they are the proprietors of the mill, which is not a private shop, but an agency under their control. The same law applies to all the departments properly belonging to the Pioneers' Society, and is the fundamental principle of all their arrangements.

The Coöperative Manufacturing Society is managed on a different principle. Here the business is not distribution, but production; and the profits are very properly divided among the producers. Interest at the rate of five per cent is paid on capital; wages are paid to the workpeople at the market rate; and the returns over these amounts, which form the profits of the business, are distributed as follows: the capital and the wages are added together, and the share of each man is according to the proportion of the sum so formed which he possesses. Thus, if the net profits amount to two per cent on this amount, the man who holds 50% of capital invested in the concern, and the man who receives 50% annually in wages, will each receive 1% as his share of the profits. This plan of distribution differs considerably from that ordinarily existing in the forms of partnership between capital and labour to which we are accustomed. But it does not follow that any economical rule is violated thereby. It is clear that labour is likely to be more energetic and efficient than when remunerated by fixed wages; and it is quite possible that its increased efficiency may render the share of the capitalist as large as it would be if he received all the profits, while the workmen had a less direct interest in the fruits of their industry. In the experiments which have been tried of giving workmen a share of the profits in addition to their wages, this has, we believe, been actually the case, more especially in small concerns. Certainly the Rochdale Manufacturing Society finds little difficulty in procuring capital; and though but of recent origin and limited extent, is already in a fair way towards eminent success.

The moral effect of these efforts has been great and encouraging; the temper, skill, patience, and perseverance necessary to conduct them, though not common qualities in the working class, have been largely cultivated among the members of these societies; the system of cash dealings has raised them from the degradation of perpetual indebtedness to a position very far above that of the majority of the class to which they belong. Smaller institutions on a similar principle are gradually rising in the neighbouring districts; and though none of them

are likely to rival the coöperators of Rochdale in energy, wisdom, or success, they may afford a most important species of self-education, a valuable lesson of thrift and industry, to all connected with them.

But the success of the "Pioneers" is one rare and striking example of success among many disastrous failures. The talents and virtues to which they owe their present position are not easily to be found among working men. The operative classes of even the most favourably situated and most advanced of the manufacturing districts, who are the *élite* of our labouring population, are generally incapable of the mutual forbearance, loyalty, confidence, and resolution necessary to carry such a scheme into successful execution. They very frequently want steadiness of purpose, self-reliance, and patience; they have very seldom trust in one another, or faith in a principle. For the conduct of a coöperative association are required precisely those qualities in which they are most commonly deficient. The directors of such an undertaking must possess temper to bear with the unreasonable, dignity to hold in check the factious, courage to resist a panic, judgment to restrain the over-sanguine propositions excited by prosperity; and the operatives are too often lamentably wanting in judgment, civil courage, dignity, and command of temper. The leaders must enjoy, as well as deserve, the trust of their associates; the latter must be patient under hardships, just under defeat, temperate in criticism, cordial in support. The operative class are, as a rule, jealous, suspicious, and impatient; prone to the harshest censure of all who fail, immoderate in their reprobation of any step which they cannot fully understand, and grudging in their support of leaders who neither cajole them by flattery nor command them by oratorical power or high personal authority. These are reasons sufficient to account for the almost universal failure of the coöperative societies; their success at Rochdale is less easy to explain to those who have not learned by personal intercourse to appreciate the rare qualifications of those to whom that success is mainly owing.

There is, however, another form in which the system of co-operation might be beneficially applied, and in which it would be far less liable to the embarrassing difficulties which arise from the bad education and defective character of those whom it is intended to benefit. The essential principle involved in that system, as applied at Rochdale and elsewhere, is simply the distribution of the profits among all who assist to create them. This does not necessarily imply any particular rule of distribution, or any special mode of directing the business. It is as applicable to the concerns of a private firm of capitalists as to

those of a joint-stock company of workmen. There is no reason why the labourer should not, in addition to the fixed wages which are a necessary condition of his existence, receive also a share of the net profits of the business which should give him an immediate interest in its success. How far this could be done, when and where it should be done, are questions which practical experience only can decide. Where the labouring body is floating, irregularly employed, constantly coming and going, such a plan would be inapplicable; where the work is merely mechanical, or nearly so, it might not be advisable; where the concern is very large or very complicated, the inconveniences would probably far outweigh its advantages. It is in the case of skilled labour and small concerns that its adoption appears to us most easy and most desirable. In such trades as those of builders, masons, carpenters, painters, and the like, where the workmen are superior to the average of their class, and where the master is not too far raised above them to understand their feelings, wishes, and prejudices, such a partnership as would give every workman a strong personal interest in his work, without giving him any power of control over the administration of the business—a partnership *en commandite*, as the French call it—would have a fair prospect of success. Louis Blanc and Mr. Sargant give us an instance of this kind where a Parisian painter, having first secured the best men in the trade by paying them the highest rate of wages, afterwards found it answer to give them *in addition* a share in his profits proportioned to their earnings. So great was the additional energy and care thus inspired, that the employer found his annual gains actually greater than before. Men employed on such terms will of course keep clear of Trades' Unions, and will have nothing to do with strikes. They are pretty sure to be the most sober, diligent, and reliable of workmen; and we may well believe that the success of the experiment would be such as amply to repay the additional expense. With the chief clerks, managers, and foremen in large concerns this is very generally done; and there seems to be no reason why the practice should not be very much more widely extended. It would be too adventurous to hazard a prophecy that this will be the eventual form of the relations between capitalist and labourer; but if it should be so, it will be almost as much preferable to the present state of those relations as to the arrangement proposed by the advocates of Communism.

But no such moderate change as this—no gradual improvement in the condition of the working classes—no slow process of *rapprochement* between them and the higher orders of society—will satisfy the demands of those who consider the fundamental principles of our social fabric to be wrong and rotten;

who regard property as robbery, inequality as injustice, and who desire to see the practical constitution of the world remodelled according to certain theories of abstract morality. It is of no avail to point out to them that the tendency of social progress is slowly but surely to lessen all differences in station and fortune—to narrow the gulf between the rich and the poor, and smooth the ascent from one grade to another for all whom nature has fitted to rise: so long as the wise man shall be the richer for his wisdom, or the strong man for his strength; so long as distinction of capacity, of merit, of energy, shall create distinctions of rank and wealth,—there will always be discontent among those who are kept by accident or defect in the lowest position, and that discontent will always find expression. Above all, so long as hereditary fortunes exist; so long as thrift and industry and talent are allowed to bequeath their earnings to those nearest and dearest to them,—so long will those whose ancestors have laboured less successfully or lived less frugally be envious of their more fortunate neighbours—so long will the *fruges consumere nati* be the objects of sarcasm, denunciation, and detraction.

And yet it cannot be questioned that the absence of such a class would be a most serious misfortune to society at large. There is some good purpose to be served by most institutions which grow up spontaneously, or maintain their existence without extraneous support. And the existence of a class not compelled to labour for their daily bread—strange and scandalous as it seems to men whose sympathies are wholly engrossed by those who can hardly subsist by labour the most severe—yet confers on every class in society advantages which thoughtful men would be very sorry to forego. Of these, perhaps the least is, that those who have leisure for thought, for refinement, for elaborate self-culture, give a tone of polished ease and grace to the highest orders, which is imitated and partially reflected by those next below them, and which insensibly affects the habits and manners of all classes. But this is comparatively unimportant. There are many kinds of work which are of the highest importance, which demand the devotion of a lifetime, which require above all others talent, energy, and self-sacrifice, which cannot well be paid by direct agreement, and which cannot be done by men who are busy in earning a livelihood. The business of legislation and government is of this kind. We cannot well make it a source of profit without incurring danger of political profligacy and personal corruption, from which we are comparatively safe in the hands of men who are rich enough to serve gratuitously, or for a remuneration which barely defrays the inevitable expenses of office. Again,

how great is the importance attaching to those philanthropic efforts in which many men of the highest rank and fortune in this country are honourably distinguished! How ill we could dispense with such services; and yet how impossible it would be to appraise their money-value, or buy them with a price!

One thing, however, we must admit to be just, among the many irrational reflections cast upon the possessors of hereditary fortune. There is no being in the world more worthless and contemptible than the man who, not being forced to work for bread, takes advantage of his exemption not to work at all. But in this, as in most other respects, the tone of society is rapidly improving. Partly through the growing influence of new families, with whom work is a tradition and a pride, partly through the rise of a loftier sense of duty and a higher standard of morality among the classes in enjoyment of hereditary wealth, idleness has ceased to be honoured, and is fast tending to become disreputable. A dim consciousness of social responsibilities, hitherto shamefully neglected, is daily gaining prevalence and clearness among those who are, in morals as in manners, the lawgivers of society. Even writers like Mr. Holyoake, deeply imbued with the prejudices of a socialistic training, but candid in expression and open to conviction, admit a great improvement in this respect since the days in which Chartism and Socialism first sprang up; an improvement which has largely contributed to the rapid decay and present insignificance of the communistic and similar agitations in this country, while in France, though crushed by force and restrained by despotism, they continue to smoulder, and may at any moment break out into as fierce a flame as ever. Wherever the poor can be made to see that the rich do care for them, think for them, feel interested in their prosperity; that those whom talent or accident has placed above them are desirous to use those advantages for their benefit; that they are not—as agitators tell them, and as too many of their superiors still give them excuse for believing—objects of contempt or indifference to their more fortunate fellow-creatures,—we may expect to see the worst peril that threatens society removed, and the want of mutual confidence, which so grievously hampers all attempts for the instruction or elevation of the lower classes, cured by more knowledge and better feelings. To this closer understanding and more friendly feeling do we look for the best prospects of our future; in proportion as we approach it do we find political institutions more stable, society more secure, and moral and material progress easier and more rapid. Class alienation, not class distinction, is the disease of civilised society. The latter may exist in a high degree, as in England,



without danger or serious evil to any class; the former is fatal to the peace and security of all. Where the passions of the poor are fostered by selfish profligacy on the part of the rich; where arrogance on the one hand begets a vindictive malignity on the other; where poverty and ignorance are not taught practically to feel that their interests are cared for and their welfare faithfully regarded by the possessors of wealth, influence, and education,—there we shall and do find that

“ . . . . . these two parties still divide the world,  
Of those that want and those that have; and still  
The same old sore breaks out from age to age,  
With much the same result.”

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ART. IV.—THE PRESENT STATE OF PHOTOGRAPHY.

*A Manual of Photographic Chemistry; including the Practice of the Collodion Process.* By T. F. Hardwich. Fifth edition. Churchill.

*The Journal of the London Photographic Society.* Taylor and Francis.

It is no rare phrase that characterises the exciting age on which our lives are thrown as the age of the electric telegraph and of photography. These two of its most startling productions are naturally selected by the popular mind as representing in an emphatic and characteristic manner the rapid growth of a stupendous offspring from a seed of human knowledge so small that our fathers remember the day when it was hardly visible; like that great water-weed from the New World that is now choking our canals and filling the rivers from one end to the other of the land, and which sprang from some minute leaflet that a botanist may have struck but a short ten years ago. Each of these great practical triumphs of a scientific age has sprung into existence and fructified and covered the world with its results during a period so short, that the hair of the very men who introduced them is not yet gray. And each represents and is the type of a distinct method of growth: the one is a discovery, and the other an invention; the one was born of a dream and elaborated by the resolution of an indefatigable experimentalist, the other was little more than the application of scientific principles already established. Photography had little or no result of scientific truth to start from; electric telegraphy had all the results that a science highly elaborated could supply, and was the product of mechanical ingenuity availing itself of these.



The possibility of conducting the voltaic current by means of wires for considerable distances had been established; the beautiful discovery of the electro-magnet had been the reward of one of the great poets of science, Ørsted, and its laws had been pursued by a still greater one, Faraday. The mathematician had even brought the scattered results so achieved within the police of his analysis, and at least had sought to assign their laws, before Cooke had listened to elementary lectures on chemistry, and had sought the aid of Wheatstone to give a finished form to his telegraph. But the mechanical applications of scientific principles are generally effected by a different order of mind from that which discovers those principles. The investigator needs a kind of genius, the inventor rarely exhibits a faculty rising above ingenuity.

Photography was the child of investigation. Two persons, and two only, seem to have set about photographic discovery as Columbus looked for a new world; they were the elder Niepce and our countryman Mr. Fox Talbot.

We have few data for judging of the train of thought that led Nicéphore Niepce to work through many years at the problem of producing a picture by the sunlight, and which induced him to put a firm faith in the conviction that such an end was achievable. Others certainly had gone before; but unsuccessful attempts on the part of others are rather deterring than inspiriting in their influence on the mind of the man who would venture in the trodden path; so that the results of Wedgwood and Davy, which failed because they could by no then known means be rendered permanent, may have deterred M. Niepce from pursuing the course so successfully followed out subsequently by Mr. Talbot with the compounds of silver; while the less conclusive failure of Wollaston to make gum guaiacum a photographic agent may, by proving at least the decided chemical change effected by the violet and blue light on that substance, have prepared the mind of M. Niepce for a resolute effort to make gum-resins a means to that great end, in the attainability of which he evidently believed. We may thus understand his elaborating the first practical and successful process of "heliography." He formed his picture on the bituminiferous substance called asphalt, or bitumen of Judæa ("Jew's pitch"), a body consisting of at least three, and probably many more substances of a resinous nature, and most likely very variable in its chemical characters. This mineral pitch is found in many places on the earth. The Dead Sea is its most historic locality; the pitch lake of Trinidad, the west coast of Africa, and several other places, produce resinous or pitchy solids which are more or less viscous or even liquid

under a tropical sun, and nearly related in their characters to this "bitumen of Judæa." This substance was found by M. Niepce to be so changed by the light as to be thereby rendered insoluble in substances that were capable of acting as solvents of it before it had been exposed to the luminous agency. This action of the light on many of these resinous substances consists, in fact, in a conversion of them into a new form of resin, more compact, more solid, and less soluble in certain essential and other oils than they are in their pristine state. M. Niepce discovered this fact; and after powdering the Dead Sea asphalt and exhausting it of all its unchanged (and therefore soluble) portion by oil of lavender, he next spread this solution (in comparative darkness, of course) on a polished plate of silver, and drove off the solvent oil by heat. The silver plate, thus coated with the soluble parts of the asphalt, was either exposed in the camera obscura for a lengthened time, or some leaf or other object was superimposed on it, and the light left to do its work wherever—and with a result in exact proportion to the intensity with which—its rays fell on the plate. After the action of the light was carried as far as was requisite, the plate was again removed to a dark room and treated with a mixture of the oil of lavender and natural petroleum, or rock-oil,—a liquid of very complex and mixed composition that exudes from the soil of many regions. This mixture dissolved the asphalt that had been unaltered by the light, leaving the altered portion upon the plate in quantity proportional to the intensity with which the light had operated. A picture remained, therefore, upon the silver surface represented by the asphalt in all the lighter portions of the original, whether an object in the camera, or a superimposed print, or any other thing that intercepted the light.

The first real result in a great discovery is always worth detailing, even though rendered obsolete by the march of events. The heliograph we have described was the first permanent photographic picture ever produced; and it belonged to M. Nicéphore Niepce to attain it. Its date was about the year 1826.

M. Niepce is next found in company with Daguerre, communicating his knowledge to him, and seeking his aid as a *collaborateur*. The Daguerreotype was the result. But Niepce died in 1833; and his son, M. Isidore Niepce, represented him in the scientific partnership when the process that bears the name of the other member of it startled the world in 1839.

The sensitive surface of iodide of silver, rendered soon afterwards still more sensitive by Claudet and others by the skilful use of chlorine and bromine, was proved to be susceptible of an

invisible impression of the sun's rays of such a kind, that in those places where the light had thus impressed it, the vapour of mercury would most readily condense; so that after exposing a plate of silver iodised on its surface to the action of light in the camera, a picture was developed by exposing it in a box filled with the vapour of this liquid and readily vaporised metal. The removal of the iodide by a suitable solvent left the plate susceptible of no further change, and upon it the picture depicted in mercurial whiteness on a dark ground of highly-polished silver. But we need no longer be haunted by the metallic spectre of the Daguerreotype. It has passed almost into the same limbo of oblivion as M. Niepce's Heliography, yielding its place to the processes that have sprung into existence as the immediate offspring of Mr. Talbot's Calotype.

The spirit in which Mr. Talbot set about his discovery of a photographic process, if not different from that which impelled M. Niepce, was at least as high and poetic a one as ever inspired a research.

It was on that beautiful Italian water whose triple arms converge on the point of Bellaggio that Mr. Talbot longed for a power to enable him to bear away an image of the soft silvery radiance of Lecco and Como. There he resolved to work out the problem by which Nature herself should be induced to perpetuate the outline of her own beauties in an artistic form. The earlier steps of his progress have never been told; but in 1839 there was an announcement made to the world of the birth of a new art practically available for this purpose. It was made simultaneously, though in different processes, in Paris and London; in Paris by M. Daguerre in the form of the Daguerreotype, in London by Mr. Fox Talbot in the shape of a "photogenic process" for copying leaves, prints, &c. by superposition of the same on a surface of paper prepared by certain salts of silver. On exposing this paper with its superposed object, the light darkened the paper wheresoever it either directly fell, or was able to penetrate the more or less transparent parts of the object. The result was a picture varying in the intensity of its shadows in proportion to the degree of transparency of the pictured object. The lights in that object were thus depicted in shadows, while its shadows were inversely represented by corresponding whiteness, the paper retaining the purity of its original whiteness where the opacity of the darkest parts of the object copied defended it from the luminous action. This last process was a great step in advance of the previous attempts of Davy and Wedgwood. They, indeed, had got so far as to operate on leather or paper treated

with nitrate or with chloride of silver; but they had neither produced so sensitive nor so dark-coloured a result as Mr. Talbot, nor had they succeeded in "setting" their picture at all. In endeavouring to trace the connection between the history of photography and that of the discoveries made in chemistry, that mighty mother-science one of whose children photography is, we cannot fail to recognise the quick activity, the Argus-eyed ubiquity of perception, with which the intelligence of man has step by step striven to push investigation into every new avenue as fast as it was opened to view by the onward march of the pioneers of chemical science. It was only in 1812 that the discovery of iodine was made. Before 1812, therefore, the Daguerreotype and the Calotype were alike impossible. The discovery of bromine in 1826 by Ballas completed a trine of elements of which the first, chlorine, was discovered by Scheele in 1794. These three bodies form a singularly interesting group among the elementary forms of matter as yet eliminated by the chemist.

Chlorine is a heavy yellow-green gas; bromine a rich carmine-red liquid with a brownish-red vapour; iodine an iron-gray crystalline, solid, easily vaporised by heat in the form of an exquisitely rich violet gas. Their chemical properties are in many respects so analogous, and they form so marked a group by themselves among the elements, as to have led more than one chemist to look on them as likely to furnish a key to the question, Are the chemical elements really prototypic material units indivisible into other forms of matter, or are they the manifold results of combination of a few such unit-forms? for the analysis of which the forces as yet in the hands of the chemist are not adequate. Such a question is necessarily speculative, and the hopes for an answer to it vague. But amid these elements, some sixty-three of which we know, this remarkable trine—chlorine, bromine, iodine—stand singularly unique in their analogies and in the degrees of their mutual difference.

They seem to represent to us three consecutive links in that long chain of which we have in the other elements the severed parts; which here and there, indeed, furnish other instances of consecutive order, yet are generally only sufficiently analogous to enable us to assign with some certainty their place in a long series. The intermediate links that would give continuity to the whole are absent. To the photographer this trine of elements possesses peculiar interest. They are in a peculiar degree photographic agents. Their compounds with silver are in many ways remarkable in their behaviour under the influence of light, and furnish the foundation of the most suscep-

tible processes for commemorating the presence of light with which we are at present acquainted; the compounds of silver forming surfaces exquisitely impressionable to this luminous action. In the heliography of Niepce the silver plays no further part than that of a finely-polished surface; and this use of it seems to have led accidentally to the discovery of Daguerre, that when the polished surface was exposed to the vapour of iodine, it became endowed in a high degree with a power which even the pure silver surface itself seems to a certain extent to possess, in common with many other polished surfaces, of condensing the breath and several other vapours on such parts as the light has illuminated.

Daguerre, as we have seen, discovered this character of the iodide of silver in the case of its action in condensing the mercurial vapour. But Mr. Talbot began his inquiries from another point; and it may be well to trace this development from that point. When silver is dissolved in any acid,—say in nitric acid, forming nitrate of silver,—and this solution is brought into contact with a solution of any of the direct compounds of chlorine with the alkaline metals,—for instance, with a solution in water of common salt, which is a compound of chlorine with sodium (the metal of soda),—a *precipitate*, to use a chemical term, is formed. That precipitate is chloride of silver. It results from this reaction: the chloride of sodium and nitrate of silver become chloride of silver and nitrate of sodium simply because the former of these bodies is incapable of solution in water, and therefore must fall as a solid to the bottom when liquids are mixed containing the elements that constitute it in the requisite form. This precipitate, the result of the chemical affinity that attracts the chlorine to the silver and forms the solid chloride, is a curdy substance, heavy when collected into a mass, and white as driven snow. It may be melted into a wax-like solid, and occurs in nature in this form. It was so known to the alchemists as horn-silver; and they seem to have been aware how to make it, though they could in no way at all explain its constitution.

The white precipitate is wonderfully sensitive to light, rapidly changing in sunlight, and more slowly in diffused daylight, to a violet and violet-gray, even to an almost iron-gray substance, chlorine being given off. The action is confined to the surface, so that every particle, however small, after being thus darkened in sunlight appears to consist of unchanged chloride throughout its whole substance except on the immediate and infinitesimal surface. Chemists have never yet succeeded in getting the darkened chloride separate from the white chloride, and thus this first step in the chemistry of pho-

tography is still unachieved; but the dark body is believed to be a subchloride, *i. e.* a chloride containing only half the chlorine contained in the white chloride. Other views have been published about it; but they are certainly erroneous, and this is at present the most probable view of the nature of the change. We have already mentioned how Mr. Talbot employed this substance and intensified its action in his "photogenic drawing,"—the process which, with but slight additions and improvements, forms the sepia-tinted pictures of our photographic portfolios.

If, instead of taking a chloride to throw down the white precipitate from nitrate of silver, we employ an analogous iodide or bromide, *e. g.* the bromide or the iodide of potassium (the metal of the alkali potash), we obtain in either case a yellow precipitate very similar to the white one, but consisting of iodide of silver or bromide of silver according to the substance used. But we look in vain in these yellow precipitates for the property of becoming blackened under the solar influence. If perfectly pure, they retain their hue unchanged. Let, however, a small trace of nitrate of silver be present in excess of the definite amount requisite to form the iodide or the bromide, and a darkening takes place in the sunlight quite analogous to the intense darkening of the chloride under similar circumstances, and which constituted Mr. Talbot's photogenic process, and gave it its intensity and sensibility. The fact probably is, that the light is unable entirely to effect the decomposition of the iodide or bromide, though competent to decompose the chloride; but that if a substance be present like the nitrate of silver, capable of absorbing the iodine, bromine, or chlorine, and having, as silver has, an affinity for these elements, this invitation, as it were, to decomposition is rendered by the action of the light sufficiently potent to induce the transfer of the non-metallic element to the silver. Add to this that the molecule in the act of forming itself as chloride or iodide is under the influence of the same luminous agency, and we may understand the greater intensity of the dark result as illustrated in the photogenic process of Talbot. But this is not all; nor is this the only mode by which the light is effective in producing changes on those silver compounds capable of rendering service to the photographer.

Mr. Talbot's Calotype process was the embodiment of another fact into a photographic method. Of course the iodide, or either of the other two salts of silver that we have alluded to, may be formed on the surface of a sheet of paper by washing it with the two solutions consecutively.

Mr. Talbot found that a sheet of paper thus coated with the



iodide of silver, and treated with a small excess of the nitrate, had acquired a susceptibility to light of an extraordinary kind. Even though no visible change might have been effected by an exposure—it might be an instantaneous one—to light, he showed that a new state had been established in the sensitive surface where the light had fallen. It was a state analogous to that of a body that acts as a ferment; for the iodide had now become able to set up and to maintain decomposition in compounds ready to undergo such decomposition, but in which the condition of, so to say, unstable chemical equilibrium needed some external force, however minute, so long only that it be in the right direction, to set up the change. The agent which he found best to answer for this purpose was gallic acid, a substance obtained by a sort of fermenting process from gall-nuts, and connected by chemical relationship with the tanning principle in bark. This body, mixed with nitrate of silver, will keep clear for a little while in the dark, or by a yellow, green, or red light, though at once rendered turbid in daylight. The balance of its unstable equilibrium was adjusted and brought under control by the use of a few drops of an acid. When, therefore, the “iodised” paper was washed with nitrate of silver, or with this mixture when very great sensitiveness was needed, and then exposed to the light, an action was instantly set up which would go on in the dark, and needed time only for its development by the subsequent use of the gallic-acid mixture. When once “developed,” the picture, having the appearance of a yellow drawing on a black ground, was washed and fixed by an agent that arrested the further action on the iodised surface.

For the means of effectually doing this, photography is indebted to a beautiful discovery by Sir John Herschel of a compound of sulphur called hyposulphurous acid. The soda-salt of this acid, the hyposulphite of soda, has the property of dissolving and forming a double salt with the compounds of silver otherwise of such difficult solubility which we have described. The dark image is left comparatively uninjured by the use of this hyposulphite of soda, so that it needs but proper treatment by it to abstract every silver preparation from the paper save the dark deposit that forms the picture. Mr. Talbot had used at first another and far less effectual means of fixing his Calotype as well as his photogenic pictures, and the employment of this admirable discovery was a new era in the art. We shall speak presently of the negative and positive forms of pictures which formed the matrix and the copies respectively in this Calotype process; as they form equally the peculiarity, and in convenience the superiority, over the Daguerreotype, of



the processes that have grown out of the improvements on the Calotype. We need not, therefore, linger over the original form of the Calotype, except so long as may be necessary to follow the steps by which photography has progressed to its present beautiful delicacy. This progress has been due primarily to the improvement of the material or medium used as the surface to receive and retain the sensitive chemical combinations employed, and after that in important variations introduced into the process in order to make these improved materials available. A curious discovery was announced to the Southampton meeting of the British Association in 1846. It was made by Schönbein. This gentleman has been distinguished for a singular faculty of recognising and bringing into attention phenomena of an obscure and subtle character, though, perhaps from the intrinsic difficulties of the subjects, he has not been equally happy in explaining them. Thus the mysterious and even now perhaps not satisfactorily investigated substance ozone was experimented on by Schönbein, and the various phenomena which seemed analogous and to belong to it were somewhat indiscriminately grouped together, though certainly not explained by him; and in the announcement to which we are now alluding he was equally successful in an interesting discovery, though chemistry has had a difficult task since in the elucidation of it. That discovery was gun-cotton, the substance into which cotton is converted, with no apparent change in its flocculent texture and physical characters, by the action of nitric acid in the presence of sulphuric acid. Schönbein had sent to Faraday, shortly after this announcement, a cup made of his gun-cotton; but the cup was transparent as glass, and of the texture of goldbeater's skin. It was formed by dissolving a variety of the gun-cotton in an ethereal solvent, and after pouring a little of the viscid solution into, and so coating, the hollow of a cup, permitting the ethereal solvent to evaporate, and so leave behind it the textureless residue of transparent explosive cotton. This solution of gun-cotton became presently applied in hospitals under the unintelligible name of collodion, being used as a self-adjusting plaster, which was poured in solution over cuts and wounds, and which after evaporation was left like a transparent film of goldbeater's skin firmly adhering to the wound.

It was about the year 1852 that two photographers, we believe independently, M. Le Gray in Paris and the late Mr. Archer in this country, conceived the idea of substituting for the coarse paper of the Calotype the incomparably delicate and grainless tissue of this new material. No one can for a moment fail to grasp the great improvement involved in such a sub-

stitution. The finest paper that art could produce must needs be formed of a pulp whose essential ingredient is a fibre; and the filamentous character of this fibre cannot be entirely destroyed. Such paper consequently presents as a transparency a mottled appearance, and by reflected light reveals under a magnifying glass an inequality of surface which no mechanical rolling can remove. Such a substance is not the material to exhibit the beautiful delicacy of the pictures which it was in the power of the pencil of light to draw. It was in this respect indeed, rather than for any other superiority in the character of the earlier form of the Daguerreotype, that this French process took away the palm from its English rival. The exquisite, the absolute evenness of surface of the silver plate enabled the photographic process to deposit upon that surface its minutest beauties in microscopic perfection of detail; while the coarse grain of the paper surface was, in comparison to the plate of silver, as though the engraver should endeavour to depict on a rough slab of cast-iron the fine tracing and delicate imagery of a steel engraving. Wax had been used, indeed, to communicate a transparency and an evenness to the texture of the paper, and delicate tissues of pure paper were manufactured expressly for the photographer. The wonder is, not that all the efforts of photography in this direction were incomplete in their result, but that the marvellous and delicate pictures were obtained at all, which from the earliest days of the Calotype would every now and then, with a capriciousness peculiar to this empiric art, reward the untiring industry of the votary of the sun.

But wax-paper and every paper process soon yielded before the new tissue which the ingenuity of the gentlemen we have named now gave to the photographic manipulator.

The fluid gun-cotton needed, indeed, a rather different treatment from that pursued with the paper processes. Instead of forming the iodide of silver in the film of gun-cotton, this was only impregnated with a solution containing iodine. The colodion thus charged is poured upon a rigorously clean plate of smooth glass, and allowed to flow off again. The small quantity of the substance adhering to the glass is enough to produce when dry that delicate and transparent film of "gun-cotton" whose invisible tissue carries within it all the work of the solar pencil. But before the ethereal solvent has completely passed off, and as soon as it has done so sufficiently to allow the cotton to become somewhat continuous in its texture, it is plunged into a bath of nitrate of silver, wherein the iodine in the colodion film meets with the silver for which its affinity is so strong, and an even layer of pale yellow solid iodide of silver is

produced over the whole surface of the glass, imprisoned in the delicate transparent tissue of the cotton adhering to it. It is now ready for the camera; and if all the ingredients have been the result of that happy combination of good luck with careful manipulation which seems to wait on the best photographers, the film coating that glass plate is the most sensitive of all photographic surfaces, and at the same time capable of exhibiting the delicate delineations of a perfect photograph as no other surface yet known can do. We will follow the manipulator into his dark chamber. The small amount of light allowed by his jealous care to penetrate that room of mysteries is admitted only through yellow glass, and thereby filtered of those blue and violet as well as invisible rays which are the energetic agents in the photographic result. Here we enter; and if the experiment has been a successful one, ere we go out we shall be witnesses to a stroke of magic that might have made the teeth of Cagliostro chatter. From out of his dark slide the photographer takes a square of glass. On its surface is spread that translucent film—infinately delicate, for a touch will tatter it—on which so much careful skill has been brought to bear. It has just been exposed in the camera; in other words, for a few rapid seconds that delicate film has been placed where the image of some natural object—perhaps some pretty country scene—has been projected by a lens upon a focused plane. That fairy miniature formed by the well-adjusted convergences of the refracted pencils of light, is a thing so beautiful, so unspeakably lovely, that none can for the first time look on the ground-glass of a camera focused to a beautiful scene without carrying away a new feeling and a new delight. That lovely little picture is but a fantasy. Though every varied tint and every waving form be seen there, as the eye sees it in nature, even perhaps more intense in its brilliancy from its being more minute and concentrated, so to speak, in its scale; yet remove the glass screen on which the image falls, and it is gone, unsubstantial as a dream, and with something of a lovely dream's fascination. But let the glass screen be replaced by the sensitive collodion film, and some at least of the imagery of that otherwise transient picture may be rescued from oblivion. Was not the man a poet to whose mind this thought came on the Lake of Como? was it not something of the creative faculty of the true ποιητής that gave that thought its first triumphant realisation? We look then on the filmed surface of the glass, that has for those two or three seconds been the retina, as it were, on which that image in the camera was projected; but it exhibits only a blank. The most careful scrutiny will reveal no change in it. But no time must be lost,

or the surface will be too dry to receive the next process, by which the photographer sweeps rapidly over the glass plate a wave of a susceptible liquid. It is a mixture of a little acetic acid, a very little nitrate of silver, and a solution of a remarkable substance formed by the distillation of the gallic acid we have spoken of before (pyrogallic acid). Look on the glass plate—a moment's pause—it is but a moment; for now, revealed with magic suddenness, and growing rapidly with increasing loveliness, each moment brighter, clearer, sharper, there is the picture. But the sky is black; and athwart it, with infinite ramifications of twig and gnarled branch, each point tipped with the young bursting leaf-buds (for it is full spring-tide), stands out in a weird contrast that oak-tree in the foreground, white against the dark midnight-looking sky; yet not entirely white, for a closer view, as the magic growth is fulfilling itself, reveals a thousand pencillings of delicate lines and inexplicable shadows, giving roundness, sharpness, life, to every organic twist of the old tree. Underneath and round it, from the black stone on the foreground in relief on the white grass to the tiny fairy cottage under the hill beside the far-drawn perspective of that dark watered streamlet, a black cottage with its white window-lattices, is spread a scene; not indeed the same we saw but now on the screen of the camera, and yet how like it! The outline is the same. That old oak is a familiar friend loved by our grandsires, and one cannot fail to recognise its well-known form. Under the hill stands indeed a cottage, and its little roadway fords the streamlet; but it is in reality a *white* cottage, with its brightly-gleaming windows barred by dark lattice—a little cottage-home of England. Why is that gleaming river a dark line, and not a delicate white thread of gleaming rapids? One word explains the spell; it is a negative picture. Those strange underlights in the oak-boughs are thrown by no level sun setting on the horizon. Those shadows are not flung athwart some "land lit by a large low moon." Those weird *lights* are natural *shadows*, and those inexplicable shades are the *lights* of the natural picture; but the lights have left a darkening impress on the sensitive surface, and the shadows of Nature are left as lights on the photograph, because there the plate was less illuminated when they fell. The picture is complete, and the practised eye of the operator sees the moment to be come when further development would be prejudicial, and the action must be stopped. He washes it carefully but thoroughly with water; and the picture, as now looked at, is composed of "*lights*" in Nature, represented by the *dark* silver deposit, and "*shadows*," represented by the primrose-yellow iodide of silver still remaining in those parts

of the film where the light was comparatively inactive: by the yellow light the tint of the iodide is undistinguishable from white, and its comparative opacity gives a "body" to the picture. It only remains now to fix the image. It is true that after a sufficient washing it may be exposed to moderate daylight without injury; but the picture is at present impervious to photographic light. The yellow tint of the iodide is as impenetrable to the chemical agency of the rays as are the darker portions on which the light has done its work. And as the next step in the process requires that these yellow lights should be transparent and permeable by that chemical agency, it becomes necessary to remove the yellow iodide from the film. Either an alkaline salt of prussic acid or the hyposulphite of soda may be used for this purpose; and this is not the least curious part of the operation to observe. The yellow opacity rapidly vanishes; and where it before was the glass plate seems left perfectly pure, with nothing upon it save the photographic image. A closer inspection will reveal the exquisitely delicate sheet of the gun-cotton—pyroxyline—still clinging to the glass, and carrying in its thin web the dark silver deposit which forms the picture. What that deposit is, except that it contains silver, no chemist yet knows. It were needless to remark on the skill, the patience, the nerve needed to preserve that delicate film of pyroxyline intact through so many manipulations, by any one of which it might be floated away like a gossamer from the glass surface to which it has but little adhesion; a pin's point would make a hole that would break the spell of its continuity and doom it to destruction. Nowadays, indeed, the skill of the photographer may be confined to a very few of the many steps in the process of forming a photograph. The chemistry of the substance he deals in may be a sealed book to him, and, indeed, in general is. He can buy all his materials in the most admirable state of preparation; and all that is left to him to learn is how easily he can throw away by the smallest carelessness all the results of the experience, the patience, and the skill that have been expended on the preparations that he buys. Such a person little knows how many failures and how much perseverance have led to the production of the collodion he may waste like water, or the silver-bath which he abuses because it does not yield him pictures, while perhaps he has himself by one unperceived act of carelessness upset that delicate balance in its ingredients, the adjustment of which is one of the greatest niceties in this most capricious and yet most precise of arts. But if he has himself gone into the details of his preparations in the only true artist's way, has worked at the manufacture of his own materials; if he has become fami-

liar with the fine precautions to be taken with the strength and temperature of the acids by the aid of which he manufactures his "pyroxyline;" with the purity of the alcohol and ether in which he dissolves it; with the right adjustment of the proportions of these, on which, strange to say, he will find the sensitiveness of his pictures greatly to depend; or, again, if he has studied those subtle mysteries of the silver-bath which experience and keen observation alone can teach,—then, and then only, can he be in a position to feel the true enjoyment of the photographer, and only then will he be able to appreciate the delight of triumph and success, the sort of excitement said to belong to the winner in those games or pursuits in which something of chance or luck is associated with, and rendered available by, considerable skill. His occasional failures he will then meekly bear; and may perhaps console himself as we remember a Wiltshire tenant to have done, who, priding himself on his success in horseflesh, and having once made a bad bargain, looked on the ground with the remark, "Well, sir, at the best of time they be casialty jokers, hosses be!"

The operation that has produced the picture on the glass, as we have thus far sketched it, is an operation complete in itself. The picture needs only to be protected by pouring over it a solution of amber in chloroform, or of some analogous varnish dissolved in a volatile liquid incapable of dissolving the film. This is done in the same manner as the glass was coated at first with the collodion. The dissolved resin is poured rapidly on, and as rapidly poured off again, the chloroform evaporates, and the picture is protected for ever by a fine varnish. But it remains now to invert the spell of this negative photograph, and to present the picture in its true lights and shadows, and not with these reversed, as in the case of the picture thus far produced. This is effected by the original photogenic process of Mr. Talbot, on which some few improvements have been made since it was published in 1839.

On a sheet of paper, then, rendered photographic by that process, or on a plate of glass prepared with a collodion surface, the original negative is placed, with its face downward and in contact with the prepared surface. The two are pressed together in a frame and exposed to the light. This permeates the lighter portions of the negative with intensity, and with an operative photographic influence on the prepared surface beneath exactly proportionate to the transparency of the image. The result is therefore a *positive* picture, with its lights and shades and all their gradations of intensity precisely the inverse in degree, as in character, to those of the original negative. Our dark sky, with the weird oak-boughs in white relief,



revert into a bright heaven with dark oak-branches athwart it; our white grass becomes, indeed, a too dark lawn; but the little cottage under the hill once more gleams in its cheerful hue by a running water of silvery whiteness: and photography has now done all it can do to retain as a reality that phantom imagery of the camera obscura. In point of detail in the outline and in the drawing, little more can be desired; but in the grand harmony of landscape, which is colour, the photograph unhappily is not only a failure, but even its sepia hues express, in the delicate gradations of their intensity, nothing of the relative brilliancy of the colours of nature, but follow a law of their own so entirely capricious, as to make a photograph little more true as a representation of the scene it depicts than is the aspect of that scene when looked at constantly through a deep-blue glass.

Various means have been employed to give to the surface of the paper an artificial and more smooth face, and many attempts have been made to render the photograph more surely permanent than was the case with Mr. Talbot's process in its original form. The former object has been most successfully attained by the application on the paper previously to its being treated with the photographic agents of an albuminous varnish formed of the white of egg, so that the photographic image is produced rather on the surface than in the substance of the paper. The greater fixity of the image seems to have been best secured hitherto by the use of a process subsequent to the completion of the photogenic picture. This process consists in the use of a gold salt of such a character that, on its coming in contact with the silvery deposit on the paper, it substitutes gold for the silver; and thus removing a metal easily influenced by even atmospheric agencies, it supplies that metal's place by another whose affinities are of a more inert order, and whose power of resisting the influences that seem peculiarly destructive of the photograph is probably greater than that of any other among even the so-called noble metals. The gold photograph thus formed varies, according to the mode of manipulating, from a dark violet-black to a pale lavender hue; but some of the tints procured by it may for their effect vie successfully with even the warm sepia tint of a well-managed silver photograph.

Thus far our attention has been drawn only to the methods adopted for producing the photographic pictures which swarm on every drawing-room table and in every portfolio. But there are other aspects of this wonderful art. We may look at it from a point of view in which it will seem little else than a ghastly misrepresentation of nature, little more true to the reality than was that automaton doll with an artificial voice,



exhibited a few years since in London, which only sufficiently represented the sounds of the human voice to prove how immeasurably transcendent was that supple organ of natural intonation to the most refined mechanism that could be framed to imitate it. We have alluded to the great failure in the photograph in the representation of colour, however exact and minute may be its delineation of details. In point of fact, the photograph represents but two colours out of Newton's seven, and takes cognisance of but one extreme of the series of manifold hues of the rainbow. If a line of direct sunlight be admitted through a small hole into a dark room, an image of the sun will be formed on a screen at some distance from the window. If a prism be interposed in the path of the ray, instead of an image of the sun there will be an indefinite number of these, as though overlapping each other and forming a long oval, each being refracted out of the direct ray a little more than the one it overlies; and each is of a different colour. Thus the red is the least diverted image, while the violet is in situation the most remote from the direction of the original ray. The bit of rainbow which these in fact indefinite number of successive images of the sun combine to form, is the so-called *solar spectrum*. Of the whole range of its myriad hues the eye sits in judgment on a comparatively small section, the visible spectrum, extending from a deep red to the almost lavender tint, being much less than one-half of the whole. For colour is not the only attribute of the light thus analysed into its component tints; to each angle of refrangibility, indeed,—that is to say, to each degree of divergence from its original direction which the several strands of the thus unravelled thread of light will take,—belongs a series of attributes. The radiant heat, the light, the multifarious chemical agencies, seem to be but so many phases of this one wonderful vibration, which, even in its invisible attributes, we must include under the general name of Light, or of solar radiation; and the separation of these characteristic expressions of solar force from each other is a problem which science, as yet at least, has not in any manner solved. The particular class of chemical forces that are operative in the production of the ordinary photographs resides almost entirely in the portion of the light which vibrates most rapidly, and extends, when dispersed in the rainbow form, from the indigo and through the violet into a long space wherein the eye detects no light at all; so that the very light which the human eye cannot see is the illuminating influence by means of which, for the most part, the eye of the photographic camera looks out into the world.

If we can picture in our imagination the effect upon our

own senses of a beautiful scene, which we should look on with an eye that saw not colours as we see them,—to which red and yellow and green were as darkness, and the only apparent colours of the garb of Nature were dark-blue and violet and a long range of tints passing through lavender into a series of hues that eye hath never seen nor the mind conceived of,—then indeed we form a notion of the sort of view which the camera represents to us by the photograph.

To the photographer, then, all the most luminous, the most cheerful, the most varied hues in nature are as the outer darkness; their effect on the photographic compounds he employs is comparatively nothing; and the view his picture represents is, in fact, impressed on his sensitive surface by rays for the most part of too high refrangibility to be visible. It is hardly strange, then, that the delicate blush-red on a lovely cheek should be in the photographic portrait as though it were a dark stain, or that the golden eye of the water-lily should come out from the collodion plate as a black mass in the midst of those snow-white petals; that the primrose, or the rose “embowered in its own green leaves,” should present no contrast between its petals and their lovely fringe; or, again, that the sweet “pleasant green” of foliage that the eye so loves to dwell on should need a prolonged exposure to afford time for the ordinary light that is dispersed from the leaf-surfaces to operate the chemical change which the abundant green light itself is unable to effect. On the other hand too, one can understand, with this explanation in one’s mind, why in an ordinary photograph a blue sky should be so intensely white, while the green tree, however brilliantly illuminated, is a black mass in comparison. Indeed, the wonder is that one can look at a photograph with any patience at all, and that we do not instinctively recognise the wide gulf between the *chiaro oscuro* of the silver picture and that of any sepia drawing that would depict with at all faithful relations of intensity the impressions made on the eye by the gradations of light as seen through the medium of colour. The only case where the contrasts of the photograph are not false is that in which the object is monochromatic,—where the colour upon that object consists in various tones of one and the same, or nearly the same, tint. Hence the purposes to which photography is best adapted are architectural views, statues, small foreground pictures where the whole scene is of one colour, whether rock and stone or a mass of well-illuminated foliage, or where the two are united, provided that the rock and soil be of a dark colour or a red hue, in which case its photographic action is very similar to that of foliage. But perhaps the most valuable

application of photography is one in which it has already been very successfully employed,—the reproduction, namely, of facsimile drawings after Raphael and the other great artists whose genius could write a poem in a line, and convey the expression of a human heart in a symbol little other than a dot, yet embodying the thousand-fold cares, sorrows, and affections of a human eye. Here the photograph is an unrivalled, an unapproachable transcriber. Photography will doubtless be also continually more employed in perpetuating and disseminating engraved works, such as those of Marc Antonio; while as an unerring copyist of the records of other times in other lands,—in giving to a Rawlinson the materials for his researches in the form of exact copies of inscriptions on the great monuments of Assyria or Egypt,—it has done much, and will do more, good service.

Photography is an art so empirical in its origin, and, though the facts on which it rests are fundamentally chemical, is so little indebted to chemistry for any satisfactory explanation of these facts, that the chief interest attaching to any record of its development is to be found rather in the ingenuity that has made a few unexplained chemical facts the instruments of such marvellous results than in any popular treatment of the scientific bearing of the facts themselves. Hence, in such a review as we are taking of photographic achievements, it is with processes that we have to deal rather than with the triumphs of theoretical science in a new domain. Yet it would be an injustice to the chemistry of the greatest chemical age to omit the efforts that have been made to throw light on the obscure phenomena in which photography deals. So obscure, indeed, are these phenomena, that at the present moment no single law of chemical action can be declared proved regarding the special kinds of chemical change which the light effects. Decompositions are undoubtedly effected by solar agency; but they are so far like other effects with which chemistry deals, that they are the decompositions which are necessary to, and which herald, a recomposition of the severed elements in a new order. It is as if the light was one of the influences in nature whose office is to regulate the balance of the chemical powers residing in the elements, and to impress a peculiar character on those natural tendencies to union which result in chemical combination. We know as yet nothing definite regarding the special direction thus imparted to those tendencies or “affinities;” but we do know that it is in many cases quite a different class of changes from those which heat effects,—quite different too from those which that other divellent force, the electric current, enforces. Thus, to illustrate

our point by the example of a body which we have already described, the chloride of silver, we have seen that the action of light on this chloride of silver is to induce a specific decomposition into chlorine and some body which is probably a subchloride of silver. A considerable heat, however, affects this chloride in no other way than, as we have seen, to fuse it. The voltaic force, on the other hand, completely severs its constituent elements, producing silver at one pole and chlorine at the other. So, too, the sensitive surface of the Daguerreotype, or that of the collodion plate, or the highly delicate mixture used by Mr. Talbot for developing his Calotype pictures, are unchanged for some time by any temperature ordinarily experienced in our climate. Yet a ray, however faint, of the coldest daylight instantaneously effects the photographic change, which warmth has no power to bring about: indeed, the changes which higher temperatures can effect in these several cases appear to be totally different in kind from those impressed by the solar ray.

Among those who have laboured in this most recondite field of chemical research, Sir John Herschel stands even now the foremost. His papers, published seventeen years ago, are still valuable for the mass of interesting experiments they contain. He made many salts of silver and of other metals the objects of his experiments, and instituted a most interesting inquiry into the behaviour of vegetable colours under the influence of the solar rays. But what gave the high interest to his memoirs which they will always carry, was the careful observation, and the ingenious means employed therein, of the influence of the different parts of the solar spectrum, or, in other words, of the different colours, in effecting the changes to which he drew attention. Dr. Draper, M. Becquerel, and others, have followed in the same path, and have instituted interesting inquiries into the action of different kinds of light in encouraging or hindering the germination and the growth of plants. The latter subject, however, is aside of the photographic phenomena we are considering; and the results as yet arrived at are of a very uncertain character. Mr. Hunt, an officer of the institution for the Geological Survey, devoted much time to researches into these various effects of solar radiation; and it is much to be regretted that a more exact training in the accurate processes of the chemist, and a little more of the spirit of the investigator, had not given to his many efforts at research in this direction more successful and reliable results. He gave one fact to photography of considerable interest, and of some practical use: he showed that a protosalt of iron was capable of developing the Calotype picture in place of, and

with similar result to, the action of gallic acid employed by Mr. Talbot, or of the pyrogallic acid of the improved processes. This fact has never been sufficiently followed up; and it is probably by the careful investigation of the deoxidising influence of this and of other analogous substances in furthering actions set on foot, but not completed, by the action of the solar rays, that we may best hope to elucidate the laws of that action.

Many facts point to this, that the deoxidation attributed to the influence of the light seems to belong to the class of chemical decompositions before alluded to, namely those in which new combinations result from, or rather are simultaneous with those decompositions, so that the deoxidation of one body under the solar agency may imply with as much truth the oxidation of another body, and indeed may be dependent on, or at least not effected without the latter. These changes in the degree of oxidation in bodies seem also to dwell in a peculiar region of chemical combination; they are, at any rate, most frequently met with in substances susceptible of different degrees of oxidation, *i. e.* of combining with different multiples of the chemical units of oxygen, and consist in transitions from one of these degrees to another; transitions which are most frequently aided by the external impulse given by the affinities of some third substance.

The chemical action of solar radiation would thus appear to be, in many cases at least, an influence inducing, or tending to induce, chemical changes of the character of concurrent decompositions and re-combinations; but an influence more subtle in action, and less violent, so to say, in its disruptive power on chemical compounds, than are either the decomposing force of ordinary heat or the divellent power of voltaic electricity. There are, indeed, phenomena that are not, at first sight at least, capable of being brought under this explanation. One such is the union of chlorine and hydrogen, which is effected with explosive violence in sunlight, and the laws of which have been most admirably followed up by Mr. Roscoe in the laboratory of Professor Bunsen. But we are considering here especially those changes effected by the light which have been employed by the photographer; and we must not permit ourselves to be diverted into a digression upon the general chemistry of the solar beam.

Yet, in truth, one is tempted to pause for a moment to call attention to the strange power with which we are here dealing. When we think of that subtle radiation, that vibration trembling along the far regions of space with a swiftness measured by nearly 200,000 miles in a second, and with a tremulous motion whose pulses in the air vary from 16,000,000ths to

26,000,000ths of an inch in length; when we think of this pulsation as a motion, not as a transmission of a material essence—as the handing on of a mere passing movement from particle to particle of an elastic, all-filling, subtle form of matter, like the swaying of a crowd to and fro in some densely-packed avenue,—when one thus thinks of this subtle influence, light, one is indeed lost in wonder before the complexity of the results it produces, and the infinite variety of blessings that that rapid little motion brings to us. For is it not the feeding influence of all life, the very nerve-force of this universe? To use a significant illustration of the degree in which we are dependent on this “offspring of heaven first-born,” may we not instance, as but one among ten thousand similar facts, the observation of the first Stephenson, that the steam-engine is but the means of using the force of solar radiation which has been preserved in the bowels of the earth for the long geological ages that have passed since those suns rose and set in whose light the coal-plants grew? When we think that radiant heat, that visible light with its ten thousand lovely hues, that chemical agencies of so subtle a kind that while the chemist uses them he vainly tries to simulate them in the processes of his laboratory, are all but phases of this one vibration,—are, in fact, but expressions of its greater or less rapidity of vibration,—one may well feel overwhelmed with the view opened up to us by this one glance into one series of the marvels of this most intricate universe. One may perhaps look on the fire-worshiper in his orison before the rising sun as something better than a benighted idiot; for one may look on the inspiration of his creed as caught from those same thoughts that surrounded Apollo with a grace, and invested him with a power so happily expressed in Shelley’s glorious hymn :

“ I feed the clouds, the rainbows, and the flowers  
With the ethereal colours ; the moon’s globe  
And the pure stars in their eternal bowers  
Are cinctured with my power as with a robe ;  
Whatever lamps on earth or heaven may shine  
Are portions of one power, which is mine.

\* \* \* \* \*

I am the eye with which the universe  
Beholds itself and knows itself divine ;  
All harmony of instrument or verse,  
All prophecy, all medicine are mine ;  
All light of art or nature :—to my song  
Victory and praise in their own right belong.”

But we must return to the photographer, who at least knows how to invoke this Phæbus Apollo in one of his Homeric attributes, *κλυθι μοῦ Ἀργυρότοξ’*. And we may proceed to ex-



plain some of the further efforts that have been made in the most recent times to render available this silver-fraught instrument of his beams, and to give extension, permanence, and increased applications to the results of the camera.

These are comprised under three divisions :

1. Methods of rendering the sensitive plates portable, so that they need not be used the moment they are prepared, *i. e.* preservative processes.

2. Methods of producing actual engravings or printing blocks from which prints can be taken, *i. e.* phototypic and photoglyphic methods.

3. And finally, some of the applications, whether useful, artistic, or only curious, to which photography has been applied.

To enlarge on each and all of these subjects would be certainly to go beyond the limits of a general article, and to engage in the details of a complete treatise ; and any one who would study these details of photographic manipulation, and read them in the light of sound chemistry and good sense, would do well to procure the portable little volume of Mr. Hardwich of King's College ; a book not perhaps replete with much original suggestion, but certainly the work of a sound chemist and honest photographer, who has shirked none of the difficulties of the subject, and if he has not overcome all, has conquered many, and has at least faced the rest. The still ill-edited *Journal of the London Photographic Society* contains most of the undigested results of the efforts of inventors, and in its voluminous pages an article or two may be found here and there embodying the details of those photoglyphic and phototypic methods to which we shall advert for a few moments presently.

The preservative processes have for their object the retaining the surface of the collodion plate in a state of sensitiveness ; and the usual, but not the only method of effecting this, is by the use of a substance that will keep that surface constantly moist. The processes most successful in achieving this end are those which employ sugar in a peculiar state, and are variously named according as that sugar is applied in the form of honey or of treacle, or of a compound of these with other substances. To judge by the results, the most effective of these methods must be that of Mr. Llewelyn, who uses a substance termed oxymel for the purpose ; for certainly in exquisite gradation of half-tint, and for all that constitutes a good photograph, his oxymel pictures are equal to the finest results of the ordinary wet collodion, and in this respect excel those as yet exhibited by the champions of other preservative processes. Yet



others have tried this oxymel process of Mr. Llewelyn, and find it no exception to the ordinary rule of photographic results,—too often an annoying failure, though in its inventor's hand it appears never to fail for an hour. Perhaps if photographers dealt more with their materials as the true chemist deals with them, their results would be more accordant and more certain. There are several varieties of sugar; and one of these is probably the best adapted for the purpose under consideration. It is neither the highly crystallisable cane-sugar, nor the somewhat less easily crystallised grape-sugar, the ordinary sugar of fruits, &c.; but it is a variety called fruit-sugar, the *Obstzucker* of the German chemists, which is entirely incapable of assuming a crystalline form, and forms by evaporation only a viscous fluid. This can be produced by the careful adjustment of the action of acids on ordinary sugars; and it seems highly probable that this is the sugar which Mr. Llewelyn and other inventors of keeping processes have lit upon in their experiments. The success of such processes of course is dependent on very nice adjustment of the proportions of the ingredients used (especially, in this instance, in the nature of the colloidion), and very minute care in manipulatory details. Dry processes have also been employed with much success in which resin is an ingredient, or in which the plate has first been coated with albumen, or some other more or less elastic basis; but for delicacy of middle tint, as we have before observed, these yield in our judgment to the sugar processes.

Efforts have been made also to compel the sun not only to draw with the pencil of light original limnings, but also to engrave these in etched lines, or otherwise to aid in forming plates that may be employed in the printing-press. These efforts have been stimulated partly by the great uncertainty as to the permanence of the photographs produced by the present processes, and partly by the desire to multiply some kinds of photographic result with the greater rapidity and with the other advantages attending the employment of printer's ink. Not one of these can yet be said to be a successful process, from the promising photoglyphic process of Mr. Talbot to the complex photogalvanoplastic process which borrowed its fundamental fact from Mr. Talbot's first method.

A few beautiful results have been certainly produced by the latter, and the graver's tool has not in all cases been necessary as an auxiliary to the processes of the photographer, though in general its aid has been sought to fill up the details of the shadows. Mr. Talbot's method, like one that has been employed in France, applied to a lithographic stone, needs further elaboration, but is full of promise. All these methods employ one

fundamental photographic property of the light, but employ it in different ways. It consists in a change of the kind we have before explained,—a deoxidation of a high oxide of the metal chromium with the production of a lower oxide of that metal; the oxygen that is separated from it going over to an organic substance employed with the chromic compound, which thus becomes changed into some new substance. Heat will not effect this alteration,—it effects a different one. But the light carries it out; and in this manner gelatine or gum, and a variety of other bodies, undergo changes which, as in Niepce's first experiments with asphalt, cause those bodies to become insoluble after the action has taken place. We will not follow out this result into the details of the various processes that take advantage of it. They are sufficiently numerous, sufficiently various, and all so ingenious as to give every prospect of a process being ere long achieved superior to every other, and which shall enable the photographer, whenever he takes a good photograph of which he is anxious to make a large number of permanent prints, to produce from it, by a process purely photographic and chemical, a steel, a zinc, or a copper plate, or perhaps a lithographic stone, from which he may print off as many copies in printer's ink as he might have done had his plate been engraved by the burin, or his stone drawn by lithographic chalk. The engraved or photoglyphic processes, and the surface pictures or phototypic processes, whether on metal or stone, promise each peculiar advantages of their own. In all one difficulty has to be overcome, arising from the circumstance that the printer's ink needs some hollow to lie in, in order that it may adhere to the plate; so that a large breadth of shadow can only be covered by a method that causes hollows to be formed over the whole shadow. The line-engraver employs lines for this purpose; and in the aqua-tint, mezzo-tint, and lithographic printing various means are adopted to give a grain to the surfaces which the ink is to cover. These methods have suggested ingenious and corresponding arrangements to the phototypist and photoglyphist; and one is so ingenious, and, whether practicable as a process or not, is so worthy of its author, that it may be interesting to record it. Mr. Talbot has suggested for the purpose the use of a fine lace-net in advance of the picture, so that the light itself impresses the lines of immunity from its own action, between which the hollows are etched in that are to form the receptacles of the printer's ink.

It remains to us to put on record some of the applications to which photography has been applied. And, indeed, the recent and sudden call from the scene of his valuable labours of one who energetically promoted one of these applications seems

to call for a statement of the modes he employed to effect this one among the many results of his life. Manuel Johnson, but yesterday the Radcliffe Observer at Oxford, established at that observatory, which he raised to so high a place among the observatories of the world, a complete series of meteorological records. These records were continuous and automaton. Clockwork kept a sheet of paper constantly moving behind each meteorological instrument, and as it moved a lamp threw on it a column of light. The length of that column constantly changed; and an inspection of the instrument would show that that change was really caused by the variation of length, it may be in the mercurial column of the barometer, or of the thermometer, or it might arise from a change in the humidity in the air, in the direction of the ever-vacillating gusts of the wind, or in the wind's force. Thus there were constantly, day and night, a series of long slips of paper on which these shadows were thrown, and which silently, surely, and with no visible change on the paper itself, passed regularly on, each succeeding part of the paper receiving that image as it varied with the successive moments of time. But that fleeting shadow had left its impress there; for the paper was photographically prepared, and needed only development to yield a permanent and infallible record of the changes in the particular atmospheric movement which it was destined to perpetuate.

This method had been applied at Kew. It had been employed with most admirable results for measuring the constant fluctuations in force and direction of the magnetic needle, and inversely, therefore, in the magnetism of the earth at Greenwich, and at several of the magnetic observatories of the world; and Manuel Johnson carried it to a perfection as a means of recording all the various meteorological changes as no one else had done before. Science has a right to expect that his useful work may be carried on in the future at Oxford, and will always associate the results with the memory of one who was not less loved than he was respected by his scientific compeers. Astronomy has also tried to avail itself of the photographic agency of light. Mr. De la Rue's beautiful photographs of the moon, on a scale never dreamt of till he produced them, proclaim what may be hoped to be effected with such an instrument as Lord Rosse's. But they have also told some unexpected tales of the nature of the moon's surface, by showing that some parts of that surface absorb the photographic rays in a much larger degree than others; and the contrast between the great lava-coulés, if such they be, that radiate so far and wide from the mighty base of Tycho, as compared with the other parts of the surface, give to these photographs a force and a brilliancy

quite startling to the observer who knows them only through the telescope. Nor are the minute specks less interesting which Mr. De la Rue's home-made and admirable reflecting telescope has produced for him when turned on the planets. One looks on a collodion-coated plate of glass; and one sees nothing, or perhaps only a speck of seeming dust. Yet a lens of some power reveals in that tiny speck the orb of a planet—a Jupiter with his belts strongly marked, or a Saturn,—and,

“as he whirls, his steadfast shade  
Sleeps on his luminous ring.”

Here, too, new contrasts, produced by unexpected differences in the absorption of light by different parts of the planets, are exhibited; and here, as in the lunar orb, one is tempted to ask the question, How far will the science of another age be in a position to form some bold surmise as to the lithological or other material of these various parts of planets and satellites, by an increased knowledge of the various powers of absorption exercised on the different solar rays by the various materials composing our own globe, the sister to those orbs in space?

Other interesting facts, and needing further experiment for their explanation, have also been exhibited by these astronomical photographs, relating especially to the diminution of the photographic action of the lunar and solar surfaces as the angle of the ray is more oblique.

The microscope, too, has a part to play as an instrument for the photographer, and undoubtedly much here also has to be revealed by the invisible chemical rays which the eye may see but imperfectly; while the results produced by microscopic photography will place within reach of those whose time, whose purses, or whose eyes are unequal to the undertaking of microscopic studies results which can be obtained otherwise only by so large a devotion of time, means, and eyesight.

On the relations of photography to art there is room for much discussion, and probably also for controversy. Photography has driven into the limbo of the unemployed a class of miniature-portrait painters, and they, like the ostlers and innkeepers of the old “roads,” who occasionally revenged themselves upon the railways by becoming *employés* upon them, have in many instances joined the motley ranks of photography itself. But that the true artist will not throw down his brush and retreat before the advance of photography into his domain, is evident enough. The utter powerlessness of the chemical pencil of the sun to give the true relations of intensity of colour, the absence from the photograph of that ideal element which is the soul of art, leaves the relation of the photograph to the picture at best

only as that of a useful auxiliary to a great result. Even were it possible for the photographer to surmount the former of these difficulties, and to depict not only in correct relative intensity of light and shade but even in actual colour the truth of nature, of which at present there is not the faintest hope, must not the photograph still stand towards the artist's great work as the truest prose description to the imagery of the poem?

The artist need not fear the encroachment of the photographer. He may take the results of the camera,—he has already done so,—and by careful scrutiny of nature thus depicted on a flat surface in such marvellous detail he may learn a new reverence for that patient elaboration of particulars which need not mar his whole, and he may thereby feel that if he never can attain he can yet approach that infinite delicacy of finish which marks the photograph, and that in that approach he is being truer even to the poetry of art than if he were to live in that scorn of detail and emulation of "broad effect" alone, which was born of the consciousness of the limit placed to human action in the production of minutiae, but has never characterised any really great school of art in any age. M. Le Gray may startle by the instantaneous production of a sea piece, crisped with laughing waves, fringed with the froth and foam of breakers, and overhung with skies of magical reality. But these pictures only startle—the artist feels all their want of true soft harmony, in fact their want of truth; and the public express the same consciousness of their false contrasts by asking if they are indeed moonlight views, or if the heavy clouds are really thunder-clouds. M. Baldus and the Bissons have it all their own way in their colossal views of the new Louvre and the new Tuileries, or of other vast buildings in Paris and elsewhere. But what artist would select such huge masses of masonry alone for the subjects of a picture? To convert them into a picture, he must make them into the background of some living scene, with humanity stamped upon it; or must throw round them the garb of beauty—some tinted gauzy atmosphere won from a setting sun, caught in those transient moments when nature is, as it were, her own poet; or rather when the exuberance of her beauties can overflow and deck in a foreign grace scenes not else beautiful, and so make even such to appeal to the seat of poetic and artistic sympathy, the human heart. De la Motte, and Fenton, and Bedford, and a few others, may strive, and may now and then succeed in catching some happy effect in their camera; but it is where the camera is pointed to some expressly lovely scene at some happy moment; and is it not also due in no small degree—in fact entirely, in so far as such a result is not accidental—to the artistic feeling in the mind of the photo-

graphist himself, who knows how to choose and when to take his view? But in fragments of foreground, in those small bits of detail in which the artist has to subordinate his genius to mechanical and patient labour, the photographer is his best colleague; and it is in the careful study of such photographs that he will feel that art has nothing to fear, but much to learn, from her mechanical associate, photography.

The invention of the stereoscope has given a remarkable stimulus to photography. Without photography the stereoscope would have been but a curious apparatus confined to the lecture-room or the drawer of philosophic toys; with photography it has become an article of furniture in every household.

The two images, separately seen by the two eyes, but united into one in the region where optical phenomena pass into the perceptions of the sense, must needs be different. The stereoscope represents such two images, and by an ingenious contrivance brings each before that eye that might have seen it in nature. But when the stereoscope ceases to represent the two pictures as seen from the two points of view represented by the situation of two human eyes, it ceases to be a true representation of the object to a human mind. A stereoscopic picture of Paris, taken from two points of view, each of which is situate on a different tower of Notre Dame, may represent the aspect of a human city as it might be seen by some "vocal Memnon," if he were gifted with eyes: but to him it would seem a toy city; and to human eyes, when thus ingeniously severed from one another by some sixty feet, such a scene must look like a cardboard model; for the several distances and the parallax of every point are entirely displaced from their true positions as seen by any two eyes that could look out from any human head. There is therefore always something startling and always something disappointing in such stereoscopic views. The true effects of the stereoscope are those of more modest pretensions; and it is where the angle is correctly taken, and the stereoscopic influence confined to a foreground and to near objects, that the spell of a solid reality investing the objects looked at is complete; and this pretty philosophic toy becomes the instrument of a beautiful illusion, and possesses a charm of that rare kind that may truly be called a new one.

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## ART. V.—MILL ON LIBERTY.

*Liberty.* By John Stuart Mill. J. W. Parker, 1859.

*Religious Freedom: a Lay Sermon.* By Francis William Newman. Holyoake and Co., 1859.

MR. JOHN STUART MILL'S essay on Liberty is a very melancholy book on a great subject. It is written in the sincere foreboding that the strong individualities of the old types of English character are in imminent danger of being swallowed up in those political and social influences which emanate from large masses of men. It might almost, indeed, have come from the prison-cell of some persecuted thinker bent on making one last protest against the growing tyranny of the public mind, though conscious that his appeal will be in vain,—instead of from the pen of a writer who has perhaps exercised more influence over the formation of the philosophical and social principles of cultivated Englishmen than any other man of his generation. While agreeing with Mr. Mill, as most thoughtful politicians must, in some at least of the most important practical conclusions at which he eventually arrives as to the fitting limits of legislative interference, and the proper bounds to the jurisdiction of that secondary tribunal which we call public opinion, we differ from him widely and fundamentally with regard to the leading assumptions from which he starts, and the main principle which he takes with him as his clue in the inquiry. Indeed, we believe that the whole character and tone of English politics would suffer deeply and permanently were the theoretic basis of Mr. Mill's political philosophy to gain general acceptance. But before we follow him into his political philosophy, we must explain why we think him totally wrong in the most important of his preliminary assumptions.

We differ widely from Mr. Mill as to the *truth* of the painful conviction which has evidently given rise to this essay. We do not for a moment doubt that English "public opinion" is a much more intelligible and homogeneous thing in our own day than it has ever been at any previous time; that it comprehends much fewer conflicting types of thought, much fewer distinctly divergent social tendencies, much less honest and sturdy controversy between diametrical opposites in intellectual theory. Sectarian lines are fading away, political bonds are sundering, even social attractions and repulsions are less marked than they used to be; and to this extent we willingly concede to Mr. Mill that considerable progress is rapidly making towards that universal assimilation of the social conditions of life which he



so much dreads. "William von Humboldt," says Mr. Mill, "points out two things as necessary conditions of human development,—freedom, and variety of situations. The second of these two conditions is in this country every day diminishing; the circumstances which surround different classes and individuals, and shape their characters, are daily becoming more assimilated." No doubt this is true; and it is true also, as Mr. Mill says, that "the very idea of resisting the will of the public, when it is positively known that they have a will, disappears more and more from the minds of practical politicians." But to what do these facts point? Mr. Mill believes that they point to an increasing despotism of social and political masses over the moral and intellectual freedom of individuals. To us his conclusion appears singularly hasty, and utterly unsustained by the premises he lays down. If, indeed, Mr. Mill still holds, as many passages in his earlier works would seem to indicate, that there is no such thing as an inherent difference in the original constitution of human minds,—that the varieties in the characters of men are due entirely to the varieties of physical, moral, and social influence to which they are exposed,—then, no doubt, he must argue that the great assimilation of outward circumstances which civilisation necessarily brings, will naturally end in producing a fatal monotony in human character. But without entering into the intricacies of this discussion, for which we have no pretence,—though we suspect it has something to do with Mr. Mill's melancholy anticipations of the extension of a Chinese petrification to the western world,—we would suggest that any moral monotony which springs exclusively from the assimilation of social conditions is not only inevitable, but a necessary result of social and political *liberty*, instead of a menace to it.

And what *are* the varieties of character which disappear as the process of social assimilation goes on? Surely *not* individual varieties of character,—varieties, that is, proper to the natural development of an individual character; but simply class types,—the varieties due to well-marked sectional groups,—to widely-severed phases of custom,—to the exclusive occupations of separate *castes*,—in short, to some local or social organisation, the sharp boundary of which is gradually becoming softened or altogether dissolved by the blending and fusing influences of civilisation. That this process has been going on very rapidly during the last century, we believe. But so far from holding, with Mr. Mill, that it is a process fatal to the due development of individualities of character, we conceive that it has not contracted, but rather enlarged, the sphere of individual freedom. The country gentleman stands out no longer in that

marked contrast to the tradesman or the man of letters which was observable in the days of Sir Robert Walpole; the dissenter is no longer a moral foil to the churchman; and the different shades of English religious opinion can not any more be mapped out as distinctly as the different counties in a map of England. But what individual freedom has any one lost by the fading away of those well-defined local and moral groups? That there has been a loss of social *intensity* of character in consequence, we admit. The exclusive association of people of the same habits of life and thought has no doubt a tendency to intensify the peculiarities thus associated, and to steep the character thoroughly with that one influence, to the exclusion of all others. But this intensification of local, or social, or religious one-sidedness is as far as possible from the development of that individuality of character for which Mr. Mill pleads so eagerly. Rather must the impressed force of such social moulds or stamps have tended to overpower all forms of individual originality which were not consistent with those special moulds or stamps. No doubt if there were any remarkable element of character in the individual which also belongs specially to the group or caste, we might expect that it would be fostered by such association into excessive energy. But any peculiarly individual element of character, on the other hand, would have been in danger of being overwhelmed. And it is therefore mere assumption to say that because there are now fewer striking varieties of type and class than there were in former generations, there is less scope for individual freedom. The very reverse must be the case, unless the assimilated public opinion of a whole nation be supposed to be more minute, more exigent and irritating in its despotism, than the sectarian opinion of small local bodies or social castes.

The same explanation applies to that other statement of Mr. Mill's which we have also admitted,—the greater suberviency of statesmen in the present day to any ascertained or even suspected strong bias of political conviction. The true reason is not, in all probability, that statesmen are more cowardly than formerly, but that they cannot command the same unhesitating support from their own party; the individual freedom of politicians is greater, not less, than it was. Parties no longer move in phalanx. Statesmen have to persuade the intellects of their followers, and to satisfy, therefore, a far greater variety of conditions than at any former period. But though this imposes a great restraint on the practical genius of statesmen, Mr. Mill fails to observe that it is a restraint imposed on them, not as individual thinkers or doers, but as *leaders* of the thought and action of others. It tells against, not in favour of,

his theory of the gradual suppression of all individuality of character. What was the range of liberty permitted to the individual thought and action of a member of the Tory, or a member of the Whig, party in the last century? If he did not implicitly accept the policy imposed upon him by his leaders, he was "cast out" by one party, and suspected as a turncoat by the other. A more constrained political conscience could scarcely exist than that of the ordinary party-politician of the old type. The tyranny of sectional opinion was far greater than can now be easily imagined. In the present day no man, be he a statesman or a mere private politician, is punished for his individual eccentricities except by his individual isolation. Mr. Gladstone may follow out any vagaries that suggest themselves to his ingenious mind, and he loses nothing but influence by the amusement. Would Mr. Mill wish that statesmen should not only retain this individual liberty to judge for themselves, but the power of constraining a party to support them through all their windings? That would indeed be a strange application of the principle that free scope should be given to every man to follow the bent of his own individual character or genius. The political phenomenon Mr. Mill has pointed out is a clear indication of a diametrically opposite condition of things to that which he seems to infer.

But Mr. Mill may perhaps say that there is much more danger of tyranny from the unchecked power of a single homogeneous body of "public opinion" than there is from the local prejudices or conflicting political sects which formerly contended for the mastery. But this depends entirely on the mode in which this body of public opinion is generated,—whether it arise, as in England, from the genuine assimilation of opposite schools of thought, or, as in the United States, from the mere forcible triumph of a single class-creed, which, in consequence of democratic institutions, is unhappily able to drown by sheer violence the voice of all higher and more cultivated schools of thought. When people come to think more and more alike, simply because the same influences are extending from class to class, and the same set of reasons recommend themselves to the intellects of moderate men in all classes,—when this is the way in which a "public opinion" is formed, it is obvious that the restraint exercised by such public opinion, gathered up as it is from a *very wide social range*, is far less oppressive than the narrower and intenser type of opinion which pervades a single social class or political sect. In the United States, on the other hand, there has been nothing of this gradual assimilation of the different political convictions of different classes. Knowledge and civilising influences have not been the agents in giving predominance to that tyranni-

cal type of thought which there goes by the name of "public opinion." The despotism of public opinion in America is not due to the gradual disappearance of local types of opinion and sectional habits of mind, and the natural fusion of political creeds which thus results,—but to the complete political victory which a false constitutional system has given to the largest and most ignorant class of the community over all those whose wishes and judgment were entitled to greater weight. A public opinion which is really only a special class-opinion, accidentally enabled to *silence* all higher elements of thought *instead of* assimilating them, is no fair specimen of that assimilation of view which is confessedly due mainly to the freer interchange of thought between class and class. And yet it is a public opinion formed, as he admits, in the latter fashion, which Mr. Mill thinks so much more menacing to individual liberty than those narrower and straiter forms of class-opinion and conviction which preceded it, and have been absorbed into it.

But while we thus join direct issue with Mr. Mill as to the effect which has been produced on individual liberty by the partial dissolution of those social castes and sectarian types of thought, and the gradual assimilation of the conflicting principles of political parties,—though we believe that never at any previous time were Englishmen at large so free to think and act as they deem right in all important matters, without even the necessity of rendering any account of their actions to the social circles in which they move,—we believe also that the intensity of character lost in this process is sometimes not counterbalanced by the gain in freedom. Mr. Mill has got into inextricable confusion between the strength or intensity of a well-marked type of character encouraged by every social influence to grow *out* prominently in certain directions,—and that individuality which is simply left at liberty to find and follow out its own perhaps not very defined bent. Massiveness and strong outline in character are certainly less promoted by the *laissez-faire* system Mr. Mill recommends than by the predominance of certain tyrannical and one-sided customs, and motives, and restraints, and schools of thought, in the moral atmosphere by which men are surrounded. Mr. Mill is probably right when he complains that the character of the present age is to be "without any marked character;" but for our parts, instead of ascribing it to that exigent commonplace with which our author wages so internecine a war, we ascribe it in the main to the exactly opposite cause,—the dissolution of various stringent codes of social opinion and custom, which extended the variety of well-marked types of character *at the expense* of the individuality of those who were subject to their influence. We

do not, therefore, practically differ from Mr. Mill, widely as we differ from his theory, when we find him saying as to the present state of the public mind—

“Instead of great energies guided by vigorous reason, and strong feelings strongly controlled by a conscientious will, its result is weak feelings and weak energies, which therefore can be kept in outward conformity to rule without any strength either of will or of reason. Already energetic characters on any large scale are becoming merely traditional. There is now scarcely any outlet for energy in this country except business. The energy expended in that may still be regarded as considerable. What little is left from that employment is expended on some hobby; which may be a useful, even a philanthropic hobby, but is always some one thing, and generally a thing of small dimensions. The greatness of England is now all collective: individually small, we only appear capable of any thing great by our habit of combining; and with this our moral and religious philanthropists are perfectly contented. But it was men of another stamp than this that made England what it has been; and men of another stamp will be needed to prevent its decline.”

But, holding as we do that Mr. Mill ascribes this dead level of character to a cause nearly the reverse of the true cause, it is not surprising that we differ from him still more widely when he suggests his remedy. Mr. Mill sees no means of stimulating the individual mind to assert its own right to rebel against the tyrannous desire of average men “that all other people shall resemble” themselves. And so he sets himself to persuade average men that, whether with regard to their influence over legislation, or with regard to their share in forming the public opinion of the day, they must steadily resist the temptation of interfering at all to regulate the standard of individual morality, except so far as it touches social rights. This is the one object of his essay. It is not at present half so important, he says, to purify the public conscience, as to break down once and for ever its right to intrude its impressions on individuals. Having long brooded painfully over the evils which are involved in what he regards as the abject deference of individual thought to the “voice which is in the air,” Mr. Mill proposes to impose on it a vow of complete silence with regard to all subjects affecting the individual only. He is so anxious to secure free action for human individualities, that he would interdict the “public mind” from expressing any opinion at all on some of the gravest topics that can be submitted to human discussion. He would, in short, emasculate public opinion, in order to remove one principal stumbling-block in the way of those who tremble to assert their own individual convictions in the face of that terrible tribunal.

Now we are far from denying that the power of public opinion is often a real and painful stumbling-block to men in the discharge of their duty. It is often hasty, and often ignorant, and often cruel. It sometimes crushes the weak, while it spares altogether the strong and the shameless. It continually "judges according to appearance and not righteous judgment." Its standard is conventional, and is yet generally applied with most rigour where it is, in fact, inapplicable altogether. All this is true, but is certainly no truer of that section of public opinion which regards individual duty than of that which regards social duty; and the remedy does not lie in the artificial proposal to warn Government and Society off the former field altogether. This, however, is exactly the position which Mr. Mill has written his book to defend. "Those who have been in advance of society in thought and feeling," he says, "have occupied themselves rather in inquiring what things society ought to like or dislike than in questioning whether its likings or dislikings should be a law to individuals." Accordingly his essay is an inquiry into the "nature and limits of the power which can be legitimately exercised by society over the individual;" and he does not confine it to investigating the legitimate degree of *State* interference, but, assuming that the principle on which society may claim to interfere with individual self-government by the infliction of social penalties is identical in kind, though not necessarily equally applicable in all cases, with that which warrants legislative interference, he makes it his object to establish that "the sole end for which mankind are warranted, individually or collectively, in interfering with the liberty of action of any of their number is self-protection," or "to prevent harm to others."

Before we follow Mr. Mill into his able exposition and defence of this principle, we wish to call attention to the new light thrown upon it by the position we have attempted to establish. We have affirmed that the loss of power and intensity which is observable in the typical characters of the present day arises not, as Mr. Mill affirms, from that galling slavery to Commonplace, under the name of Public Opinion, into which men, as it is said, have recently fallen; but from the partial disappearance of those narrow religious, social, and political organisations which formerly gave a more definite outline, and lent a more constant sustaining power, in the shape of strong class-sympathy, to the minds of those who were formed under their influence. But if this be so,—if the change be due rather to the dissolution of habitual social restraints, which, however irksome and oppressive to the young, soon wrap themselves like a second and stronger nature round the minds of the mature,



than to any increase of paralysing influence in the mild public opinion of the present day,—then it would seem that the effect of even much stricter codes of social custom, and much narrower sectarian and political prejudices, than any now prevalent tended to sharpen rather than obliterate that edge, and flavour, and intensity which Mr. Mill so much admires and which he misnames “individuality.” Suppose for a moment Mr. Mill could have emasculated the various petty “public opinions,” confined to special castes and classes, which produced the well-marked characters of the last century, as he would now emasculate the wider and less definite public opinion of modern English society, what would have been the result? The very pith of every strong class-opinion was and is its ideal of *personal* excellence, that touchstone by which it proves the mettle of all its members, and by reference to which it accords its popular judgment of favour or censure. And not only is this true, but it is equally true that no qualities of character enter more deeply into such class-ideals of excellence than those termed by Mr. Mill purely “self-regarding qualities,”—self-possession, courage, firmness, self-restraint,—which, according to our author, should be confined to the most solitary chambers of the imagination. Moreover, once admit that such virtues may and must enter into the very essence of popular standards of character, and you cannot prevent that severity of popular condemnation on the corresponding vices which Mr. Mill regards as a violation of the principle of individual freedom. Suppose, for instance, the country gentlemen of the last century had been induced, in anticipation of Mr. Mill’s philosophy, sternly to discourage all tyrannical social prejudices as to the so-called “self-regarding” excellences of the country gentleman; they would of course have discouraged any attempt to affix a social stigma on avarice, meanness, timidity in field-sports, and so forth. But how could this have been possible without destroying entirely the strength, freshness, and clearness of outline, which has engraved that type of character so deeply in the English imagination? We are not now, of course, contending that such class-prejudices are not frequently unjust and injurious in their actual operation; but simply that that breadth and massiveness in the old English types of character which Mr. Mill deplores, was due to the stimulating power of a much *more* trenchant criticism on individual demeanour than now exists, and not to any habit of ignoring entirely the private principles of men’s life so long as their duties to others were well observed. In fact, nothing is more remarkable as regards popular English standards of character than a certain undue esteem for purely personal gifts and excellences, and a deeper detestation of those



deformities which imply a want of self-respect than even of those which imply a want of respect for others.

And we feel sure that Mr. Mill's proposal to encourage the growth of moral individuality by entirely warning off the conscience of a society or a class from any responsible criticism of this interior world, would have exactly the opposite effect to that which he desires. A strong type of character may be the result either of vivid sympathy or keen collision with the social morality it finds around it; but where the social conscience practically ignores altogether any sphere of universal morality, it will seldom be the case that individual characters will dwell with any intensity upon it. Social indifference will result, not in individual vitality, but in individual indifference. Personal morality, once conscious that society has suspended its judgment, will grow up as colourless as a flower excluded from the light. And if society do not suspend its judgment, it cannot but take leave to mark its approval and disapproval, to praise its heroes and to brand its outlaws. In spite of Mr. Mill's authority, we hold that if his object be, as he states, to encourage the growth of those more bold and massive types of character which he mourns over as extinct, it will be more wise, as well as more practicable, to select as his means to that end the purifying of social judgments from their one-sidedness than to attempt the complete suspension of them on certain tabooed subjects; to seek to infuse into them a truer justice and a deeper charity in estimating individual principles of conduct than to lecture society on the impropriety of passing any opinion on them at all. The "liberty of indifference" is the only kind of liberty which Mr. Mill's proposal would be likely to confer; and that is scarcely consistent with the massive and defined strength of purpose he wishes to restore.

But we have delayed long enough on the threshold of the subject. We cannot avoid touching slightly on Mr. Mill's moral theory, deeply interwoven as it is with his political principles; but we will do so as briefly as possible, and try so far as we can to discuss his social and political theory on its social and political side. Mr. Mill begins by disclaiming, as a utilitarian must, any appeal to abstract right. "I regard utility," he says, "as the ultimate appeal on all ethical questions; but it must be utility in the largest sense, grounded on the permanent interests of man as a progressive being." And the influence of this theory is marked throughout the book. For, starting with the assumption that there is no inward standard of right or wrong, no standard except that which is attained by studying the *results* of conduct, he is led to divide actions into two great classes,—those which affect exclusively

or mainly the agents, which are therefore beyond the reach of any external criticism, since no one can know the full consequences except the agent; and actions which affect directly or at least necessarily the interests of others, which can be classified into right and wrong according as they would, if generally permitted, satisfy or interfere with the claims of others.

"Self-regarding faults," he says, "are not properly immoralities; and to whatever pitch they may be carried, do not constitute wickedness: they may be proofs of any amount of folly or want of personal dignity or self-respect, but they are only a subject of moral reprobation when they involve a breach of duty to others, for whose sake the individual is bound to care for himself. What are called duties to ourselves are not socially obligatory unless circumstances make them at the same time duties to others. The term 'duty to oneself,' when it means any thing more than prudence, means self-respect or self-development; and for none of these is any one accountable to his fellow-creatures, because for none of them is it for the good of mankind that he be held accountable to them."

And accordingly he classes cruelty, malice, envy, dissimulation, insincerity, love of domineering, as *immoral*; while cowardice, self-conceit, prodigality, and sensuality, so long as they infringe no one else's rights, he regards as beyond the bounds of morality proper. Their evil, he maintains, depends on their evil consequences. Those consequences, we may think, indeed, that we discern, but they are really experienced only by the mind of the agent; while the evil consequences of the former class of dispositions, on the other hand, are directly measurable by the disturbing influence they exert on the well-being of others. Mr. Mill is consistent, therefore, as a utilitarian, in drawing the broadest distinction between the faults and crimes which aggrieve others, and those which directly hurt, or are supposed to hurt, none except those who commit them.

Mr. Mill is perfectly consistent, we say; but what conscience can acquiesce? Insincerity, he says, is an immorality; lying is a *vice* properly visited by an extreme social penalty; and a fraud is a *crime* properly requited by a severe legal penalty: for lying and fraud invade the rights of others; it is an obligation to others to tell the truth and to act the truth, for others are relying upon you. But sensuality, unless it trespasses on the rights of others, is a "folly," a "want of self-respect," a carelessness as to "self-development;" but, "to whatever pitch" it may be carried, it "does not constitute wickedness." We cannot wonder at this inference from the utilitarian ethics; but we do wonder that so marvellous a result should not stagger any great thinker as to the justice of his pre-

mises. The truth is, that Mr. Mill is deceived by the epithet of "self-regarding," which he assigns to the various evil dispositions and actions thus intended to be exempted from social criticism. "Prudence," "self-respect," and "self-development," against which alone he considers them to be transgressions, convey no sense of obligation. A man may sacrifice his own good, indulge little in self-respect, or even have erroneous notions as to the best direction of self-development, without any sense of guilt. None of these phrases in the least describe the origin of the self-reproach which accompanies any kind of evil self-indulgence, moral or sensual. The reason why the term "self-regarding" is so misleading, is not because there is any error in supposing that these things do primarily affect ourselves, but because it seems to indicate that there is a real distinction in kind, which there is not, between the inward moral conditions of this kind of evil disposition or action and those of dispositions or actions which affect primarily others than ourselves. Were Mr. Mill's theory, and the special epithet of "self-regarding" which represents it, a copy of any characteristic inward feeling,—then any habit of self-indulgence, such as that of anger or envy for example, which directly tends to infringe the rights of others, would be separated by a broad moral chasm in our own minds from any other habit of self-indulgence, moral or sensual, which directly tends only to affect our own nature. But this, as Mr. Mill knows, is not the case. The consideration as to whom any guilty act will mainly strike is an *arrière pensée* of the mind, not the least involved in the primary sense of guilt. The classification may be important to the politician, but to the moralist it is utterly artificial. There is as much, and usually far more, sense of a violated claim in the first impurity of thought, which does not seem to go forth into the external world at all, than in the first passionate blow or the first malignant insinuation, which are clear self-indulgences at the expense of another. However important, therefore, may be the distinction between what Mr. Mill calls "self-regarding" faults and what he calls immoralities affecting others in result, it is simply an error to suppose that it is a *natural* distinction, which is recognised by the self-accusing and self-condemning power in man. In both classes of moral evils alike the sting of self-reproach is entirely inward; and is not removed by any demonstration that no *injury* to society has resulted, or is likely to result. Of neither class of evils, again, is it a true account of the matter to say that they lie absolutely within us; for, quite apart from any theological conviction, in both classes of offences alike there is the same sense of transgression of some deep invisible claim on us, which

we have no power to release as we can release any mere right of property of our own. We advance these things only for the sake of showing that Mr. Mill's classification is in no sense a classification of wrong dispositions and actions according to the kind, or even degree, of guilt with which they universally impress men, in no sense a moral, but only a political classification. In this, of course, we are at direct issue with Mr. Mill; since, as we have seen, he applies the word "immoral" to the one class, and entirely excludes the other class from any share in that epithet.

But notwithstanding this broad distinction in our ethical theory, it is clear that Mr. Mill's case may be argued, as, indeed, he generally argues it, without any explicit logical reference to his utilitarian creed. For the object of the essay is not to discuss the amount of moral penalty to the individual which different classes of faults ought to entail, but only that portion of it which social custom or political law is justified in *inflicting* for the purpose either of retribution or restraint. Now, even for those who hold that Mr. Mill's classification of "self-regarding" and non-self-regarding faults is morally an artificial one, it is quite a tenable position that the only legitimate ground for social or political penalty ought to be an injury to society or the state. This, accordingly, is Mr. Mill's position; he denies to society the right to intimidate by any intentional combination, even by the combined expression of moral opinion, those whose practice evinces a great divergence of moral principle from the accepted standard, so long as the practice at issue has no bearing on the rights of any other than the offending persons. We have a right, he says, to choose our own society according to our own tastes, and we may therefore avoid the society of a man who offends those tastes; but we have no right to inflict any social penalty upon him by inducing others to do the same, unless his offence be one which threatens the social rights of others.

"It makes a vast difference both in our feelings and conduct," says Mr. Mill, "whether he displeases us in things in which we have a right to control him, or in things in which we know that we have not. If he displeases us, we may express our distaste, and we may stand aloof from a person as well as from a thing that displeases us; but we shall not therefore feel called on to make his life uncomfortable. We shall reflect that he already bears, or will bear, the whole penalty of his error; if he spoils his life by mismanagement, we shall not on that account desire to spoil it still farther; instead of wishing to punish him, we shall rather endeavour to alleviate his punishment by showing him how he may avoid or cure the evils his conduct tends to bring upon him. He may be to us an object of pity, perhaps of dislike, but not of anger or

resentment: we shall not treat him like an enemy of society. The worst we shall think ourselves justified in doing is leaving him to himself, if we do not interfere benevolently by showing interest or concern for him. It is far otherwise if he has infringed the rules necessary for the protection of his fellow-creatures, individually or collectively. The evil consequences of his acts do not then fall on himself, but on others; and society, as the protector of all its members, must retaliate on him,—must inflict pain on him for the express purpose of punishment, and must take care that it be sufficiently severe.”

Hence if a man should come to live in a society where his life offends the moral principles of all, but yet without injuring them by any invasion of their rights, each may individually avoid him, or remove from his neighbourhood; but any attempt to excite the disapprobation of others,—any attempt to awaken the conscience of the society to any organic sentence like that of the individual conscience on his mode of life,—is an act of social tyranny; and, moreover, prejudices questions in which the social conscience is far more likely to err than the conscience of individuals.

“For,” says Mr. Mill, on “questions of social morality the opinion of the public, that is, of an overruling majority, though often wrong, is likely to be still oftener right; because on such questions they are only required to judge of their own interests, of the manner in which some mode of conduct, if allowed to be practised, would affect themselves. But the opinion of a similar majority, imposed as a law on the minority in cases of self-regarding duty, is quite as likely to be wrong as right; for in those cases public opinion means at the best some people’s opinion of what is good or bad for other people; while very often it does not mean even that, the public, with the most perfect indifference, passing over the pleasure or convenience of those whose conduct they censure, and considering only their own preference.”

This contains, we believe, the substance of Mr. Mill’s argument. First, an injury to society is the only legitimate ground of social or political punishment; since any other fault or vice expiates itself, and we can only claim to inflict penalty from that principle of social resentment which is implied in the right to self-protection. Next, if society does transgress this rule at all, the chances are that it will be on the wrong side; since society is some judge of its own interests, but will judge simply by accidental liking or prejudice as to things which do not affect its own interests. Again, the individual is the best judge of his own self-development; and to fetter him by social restraints in what does not affect society is to menace the principle of free self-government. And finally, to the argument that every thing which hurts the inward life and purity of the individual necessarily reacts on society, Mr. Mill replies

that he does not deny it, but that the principle of mere authority has had at least an adequate trial during the period of early education, when no one would argue for absolute liberty, even in "self-regarding" acts: but there must be some limit to interference; and if society is to interfere with the self-government of the mature, on the ground only of the infectious nature of all moral evil, there will be no secure sphere of individual freedom at all.

We must keep in mind, in discussing this argument, that Mr. Mill applies it as much to any combination of social opinion which tends to prevent or to render painful the assertion of individual freedom as to political legislation. His test of what such social combination is, seems to be this: any act of which it is the intention to discourage a social heresy of this kind, is a social persecution if the heresy menace the rights of no one but the heretics. Individual disapproval may show itself, as a mere offended taste would show itself; but if you try to put an end to it at all, if you do more than simply withdraw your own countenance, and express your own opinion when natural occasion offers, you are guilty of a social persecution. You may disapprove of gambling or fornication,—you may even perhaps punish those who live by offering inducements to these vices, for that is a social act, which may possibly, at least, trench on the rights of others; but you may not (even socially) punish those who commit them in the exercise of their mature discretion; for the evil falls on themselves, and not (except through the moral infection) on society. You may avoid them yourself; you are bound not to do any thing with the intention of discouraging such a life, except by expressing temperately your individual opinion and regulating your individual conduct. You may not try to excite public censure against these things,—to bring them under the ban of society; as you might a furious temper or an envious and dishonest tongue. In the latter case, the heavier the social penalty you bring down the better. Society must be protected against it. But the evil of "errors" which are visited exclusively on the head of those who commit them ought not to be increased, but if possible alleviated, by lookers-on: and they may not be errors, after all; there is no worse judge than a society on whose rights they do not trench, and which is actuated only by prejudiced "likings" or "dislikings" of its own.

We have done our best to state Mr. Mill's case, where we have not actually used his own words, with the precision and force of thought of which his book gives us so many examples. Certainly his theory does not lose any thing for want of power of exposition. Still it seems to us to fail miserably in furnish-



ing even the ground-plan of a sound political philosophy. In the first place, few can read the book without feeling that, with all its elaborate defence of liberty, there is no element so utterly absent, from the first page to the last, as any indication of sympathy with the free play of a national or social character in its natural organic action. Mr. Mill's essay regards "liberty" from first to last in its negative rather than its positive significance. But in that sense in which the very word "liberty" is apt to excite the deepest enthusiasm of which human nature is capable, it means a great deal more than the mere absence of restraints on the individual; it implies that fresh and unconstrained play of national character, that fullness of social life and vivacity of public energy, which it is one of the worst results of such constraint to subdue or extinguish. But any sympathy with a full social life or fresh popular impulses is exactly the element in which Mr. Mill's book is most deficient. The only liberty he would deny the nation is the liberty to be a nation. He distrusts social and political freedom. There is a depressed and melancholy air about his essay in treating of social and political organisms. He thinks strongly that individuals should be let alone, but virtually on condition that they shall not coalesce into a society and have a social or political life that may react strongly on the principles of individual action. Of course in saying this we do not use Mr. Mill's language, nor probably would he accept it as a true description of his doctrine. We only describe the ineffaceable impression it has produced upon us. An aggregate of individually free minds, if they are to be held asunder from natural social combinations by the stiff framework of such a doctrine as Mr. Mill's, would not make in any true or deep sense a free society or a free nation. For any thing this essay contains to the contrary, a nation might be held to possess the truest freedom though there were no indication in it of a common life, no sign of a united society, no vestige of a national will. It is strange that, while Mr. Mill lays so much and such just stress on the liberty of individual thought and expression, he should quite ignore the equally sacred liberty of social and national thought and expression, and even invent a canon for the express purpose of discouraging any action of society at all on topics where he would think it dangerous to the liberty of the individual. In England we should regard the mere absence of interference with individual opinions and actions as a poor sort of liberty, unless there were also due provision for the free play of social opinion, a suitable organ for the expression of those characteristic thoughts which elicit a response from the whole nation, a fit instrument for the timely assertion of



England's antipathies and sympathies, hopes and will. If it be in reality a far truer mode of thinking to conceive individuals as members of a society, rather than society as pieced together of individuals, it is certain that true liberty demands for the deepest forms of social thought and life as free and characteristic an expression as it demands for the deepest forms of individual thought and life.

But, says Mr. Mill, what business has society to interfere with actions which do not in any way infringe on the rights of others? 'If the consequences of any act can be shown to be purely individual, not social, then that act must be considered as beyond the range of social criticism.' We reply that, even if the consequences of what Mr. Mill calls "self-regarding errors" can be admitted to be individual only, yet that it is not by the consequences that even the agent himself judges his own action, and therefore not by the consequences that the society of which he is a member can judge it. Both the individual and society feel that the inward principle which is violated in many of these "self-regarding errors" is of infinitely more importance in estimating their relation both to the individual character and to the constitution of society, than the immediate consequences can ever be. The distinction between "self-regarding" consequences and consequences to society is not usually a distinction naturally suggested to the agent, but a distinction taken afterwards on his behalf by astute advocates. And if not a distinction which the individual conscience can always recognise as morally important, then also not a distinction which the social conscience—if a society may be permitted a conscience—can recognise either. Mr. Mill speaks as if those who violate the laws of social morality could properly be conceived as *outside* the social body, as mere invaders of society, and their guilt estimated by the amount of immediate social confusion it tends to produce upon others than themselves. Again, with regard to those whose social guilt or innocence is in dispute, Mr. Mill reasons in the same manner; he thinks of them as external to society, and then asks himself the question, Will the actions of these people in any way disturb the equilibrium of the rest of society? If not, we may retain our opinions as individuals as to the impropriety of what they do, but we are not justified as a society in objecting. Now this is a completely artificial and deceptive mode of thought. Individuals who in any special point reject the moral authority of the society in which they live, are none the less members of that society. Their act is not an invasion, but a rebellion. In other words, it has a double influence, which the aggressive acts of mere invaders never have,—the

external and the internal,—the directly injurious results, which, even though they fall exclusively upon their own heads, still fall upon living members of a society who cannot suffer without injury to the whole; and again, the still more important influence of the practical protest put forth by living members of a society against the social principle they have violated. If that principle be one really essential either to social unity or social purity, it is clear that society cannot treat either the immediate ill consequences or the practical protest as if it came from an external source.

If there be any transgressions of social morality which are conceived, as well by the individual as the social conscience, as momentous, not nearly so much because of their immediate results as because they soon extinguish that sense of the inviolable sanctity of social life which is its best and most distinctly religious bond, then surely society, if it have an inward life and constitution and conscience at all, has even more right to express itself in open resentment and displeasure, than in the case of offences which happen to affect the external lot of others of its members. Mr. Mill will not deny that there are offences not trenching on the rights of any other member of society, which yet do more to relax the strength of that spiritual tie which holds society together, than many offences which are direct aggressions upon the rights of others. He can scarcely doubt that the moral dismemberment of Greek and Roman society, for instance, was due in a far higher degree to the impurity which had already spread so fearfully in the age of Plato and of Juvenal than even to the growth of insincerity, dishonesty, and rapacious desires. Yet because offences of the former class are, in the first instance, sins only against that hidden conscience, or rather that overshadowing power, which constitutes the true spiritual bond of society, while offences of the latter class are also visibly traced in unjust violence or defrauded claims, Mr. Mill would call an organic expression of social displeasure towards sins of the one class a tyranny, and towards sins of the other class a needful and justifiable resentment. It is, we suppose, because Mr. Mill denies the existence of any moral standard of action, except consequences, in the individual, that he is also unwilling to admit the existence of any inward social principles apart from consequences against which members of a society can offend. Were it not so, he would see as clearly as we see that the danger of severing the spiritual roots of social purity and unity is the true danger to society, and needs even more sedulous and organised protest in cases where there is no one person specially interested in raising it, than even in those cases where some

one is directly wronged, and therefore certain to call in the aid of others in his own behalf. Social liberty, or liberty for the free play of social character, is quite as sacred as individual liberty; and it cannot exist at all if the deepest principles which form that character are to be kept in abeyance out of respect for the liberty of those who infringe them. How far the individual should be compelled, *otherwise* than by the free expression of social opinion, to respect such moral laws, is quite another question, which involves a large class of new considerations. But to propose that social opinion should spontaneously put itself under unnatural restrictions, with regard to principles which go to the very root of social life, in deference to individual liberty, is to ask that society should renounce its best impulses, in order that individuals may indulge their worst.

We shall not, we trust, be understood to deny that such a thing as social tyranny—quite apart from legislative enactment—is very common and very dangerous. No doubt society often does interfere with the proper sphere of private individual liberty. We only maintain that Mr. Mill's principle altogether fails properly to distinguish the two spheres, and practically denies any inward life and character to society altogether; turning it into a mere *arbiter* between individuals, instead of regarding it as an organised body, in the common life of which all its members partake. Mr. Mill thinks society a competent judge of its own *external interests*; but that its moral likings and dislikings are mere tyrannical sentiments, which it will impose at pleasure on any unfortunate minority within its control. No doubt societies, like individuals, are disposed to bigotry. No doubt majorities will at times strive to impose their coarser tastes and poor commonplace thoughts on minorities, instead of desiring to know and try the principle opposed to theirs. But what is the true check upon social bigotry? According to Mr. Mill, the only guarantee against it is to erect, by common consent, every individual human mind into an impregnable and independent fortress, within the walls of which social authority shall have no jurisdiction; the functions of the latter being strictly limited to arbitrating questions at issue between all such independent lords, and prohibiting mutual encroachments. Now we do not deny that such a total withdrawal of individual duty and morality from the circle of social questions might secure against bigotry; but at what expense? At the sacrifice, we believe, of that mediating body of social faith and conviction which connects together the more marked individualities of different minds, interprets them, and renders them mutually intelligible and useful,—at the cost of that social unity of spirit which alone renders the diversity of indi-

vidual gifts capable of profiting by each other. Mr. Mill's essay may be said to be one long *éloge* on individuality—its importance in itself, and its paramount importance to society. This we accept as strongly as Mr. Mill. But individuality may suffer in either of two ways: from the too great rigour or from the too great looseness of the social bond,—from the tyrannical domination of custom and commonplace over the individual; or from that paralysis of social life which permits individual modes of thought and conduct to diverge too widely for mutual influence and aid. What is it that really makes strong individualities of character and thought so important to society, but their real power of increasing the moral and intellectual experience of general society? And how could this be, if they were not kept constantly in living relation with general society by the sense of social authority over them? It is this moral authority exercised by social opinion, and this alone, which obliges the innovator to remember, and, if he can, to appreciate, the body of diffused social conviction, even while modifying, deviating from, and expanding it. People of strong one-sided individualities are always in danger of losing their full and fair influence on society; nay, of losing even the full advantage of their special characteristics, from want of adequate sympathy with the society which they wish to influence. For example, it is not easy to avoid the conviction that Miss Emily Brontë had all, and more than all, the *specialities* of genius which gave her sister Charlotte so great and deserved a celebrity, but fell short of her sister in real artistic power owing to the excess of these qualities, or rather to deficient sympathy with the more homely tastes and interests which gave the latter a larger common ground with the world she was to address.

And what is true of intellectual characteristics is far more uniformly true of moral characteristics. Those who ignore entirely the restraints of the code of social morality under which they live, are never likely to deepen, widen, or elevate it. Moral heretics may often render a great service to the world, but only where they feel acutely where it is that their creed diverges from that of the world, and on what grounds it thus diverges; only if they recognise the moral authority of the social creed to the full so far as it is sound, and dispute it on the one point on which they have tested its unsoundness. Mere groundless eccentricity,—which Mr. Mill, with less than his usual good sense, goes into a special digression to extol,—has more effect, we believe, in aggravating the social bigotry of Commonplace, and rendering men suspicious of all genuine individuality, than any other influence. Proper individuality is any thing but eccentricity; it is a development—one-sided perhaps, but still a deve-

lopment—of convictions and characteristics the germs of which are common to all men. If social conviction on all questions of individual conduct and morality could be struck dumb, so as to leave individuals to themselves, moral heresies would no doubt multiply more freely; but by losing their intimate relations with the wider experience of society and with the broader convictions of the social conscience, they would not only lose a certain restraining and tempering influence, but also the power which that greater breadth and temperateness gives of reacting upon society with regard to all points on which social opinion has passed a false or narrow and inadequate verdict.

If now Mr. Mill asks us what we regard as the true check upon that oppressive social bigotry which so often gives rise to weakness and moral cowardice on the one hand, and to unjust social excommunications on the other, we should reply, that there is the same check on the tyrannical treatment by society of what he calls "self-regarding" heresies as there is on similar social tyrannies towards what he admits to be justly punishable social immoralities. Society is apt to be quite as despotic, and the results of that despotism are apt to be quite as disastrous in inspiring moral cowardice and the arrogant spirit of excommunication, in the latter class of cases as in the former. Cases of real or fancied dishonesty, insolence, breach of faith, pride, are quite as often misjudged and over-punished as are those cases of "self-regarding error" with which, in Mr. Mill's estimation, society has nothing to do. That society is an imperfect judge of right and wrong, is true enough. Is it likely to improve under the exhortation to give up thinking of right and wrong altogether, and to calculate instead the tendency of human actions to produce external social disturbance? Is it likely to be more charitable and less unjust when told that it must no longer try human action by a practical human standard; that it must take pains to distinguish between actions with evil social consequences and actions with evil individual consequences only; and while disregarding the latter altogether, it should administer the unwritten law of social instinct upon the former with all the deterrent rigour it can command? When we look Mr. Mill's proposition directly in the face, it is impossible not to wonder that with so deep a despondency as to the inward spirit of English society he should combine so strangely sanguine an estimate of the power of theory. He thinks that if society would but confess that it has no social right to set up any concrete standard of moral duty, if it could but be persuaded to confine its criticisms to that abstract idea of his, "social man," and to plead absolute incompetence to deal with the "self-regarding" duties of human life,—that then individual

minds would begin to play freely, and health to return to the whole social system. We believe, on the contrary, that if Mr. Mill's prescription could be carried out at all, which it cannot, the result would be exactly opposite. The individuality of individual life would be paralysed by this artificial indifference on the part of Society to its proceedings. The social morality of social life would lose all depth and seriousness by being thus unnaturally dis severed from the deeper judgments of the individual conscience. Social morality, striving to judge of actions simply by their effects on the rights of others, and ostentatiously excluding all the natural canons of moral criticism, would become arbitrary, conventional, formal. In proportion as it relaxed its hold on the individual conscience, it would become pharisaic in its anxiety about the rights of others. Professing to judge men only by this rigid test-formula, 'What is the net social result of your action?' instead of by any natural human conception of good or evil, social morality would wander farther and farther from the natural principles of justice, and soon substitute a *doctrinaire* social bigotry of its own, in the place of that moral bigotry in judging of individual conduct from which Mr. Mill hopes to redeem it. Indeed, Mr. Mill's own writings contain sufficient indications of this risk. There is one social offence of which he writes with sustained and profound indignation, in a tone sometimes rising to the eloquence of patriotic resentment, sometimes to the judicial severity of the bench. That offence is early marriage on the part of men unprovided with certain means of supporting a family,—the social crime of contributing to over-population. He speaks of this repeatedly in his various works as the offence which society ought to resent with its bitterest social penalties; nay, which the law itself should punish as soon as social opinion is ripe for such a consummation. We do not wish to take moral thoughtlessness of any sort, or the injustice arising from thoughtlessness, under our protection; but it is important to point out practically the sort of moral result in which Mr. Mill's doctrine issues. Impurity of heart and life, and all those forms of it which avenge themselves primarily and externally on the heads of the individual offenders alone, he holds that society, as such, has no business to interfere with,—no right by social penalties of any sort to discourage or resent. But on the imprudence,—or, let us admit at once, the injustice,—of hasty and improvident marriage he would bring down, if he could, the ban of something like social excommunication.\* Yet with which class of evil has the social conscience the most real and intimate con-

\* Political Economy, vol. i. p. 445; Essay on Liberty, p. 194.



cern? Mr. Mill's essay is in many parts a continuous wail over the tendency of the individual mind to succumb to the conventional prejudices of a social creed; but could any better illustration be required than we have here given that his own theory, if accepted, would lead to a yoke of conventional social morality far heavier and more oppressive to the individual conscience than that which he conceives to be already almost beyond endurance? Thus to supersede social morality by intellectual formula will prove, we take it, a harder task than to regenerate it by the natural method of moral influence. Mr. Mill is very hard upon those who try to change the "likings or dislikings" of society instead of to convince its reason. But few caprices of social liking or disliking could be conceived less reasonable than the intellectual caprice which he wishes society to adopt as its rule in dealing out its discouragements, its censures, and its bans; for he asks society to neglect, on principle, the cancer at its heart, while he would have it amputate without scruple the slightly injured limb.

Mr. Mill is well aware that the principal recommendation of his social theory to ordinary minds is not likely to consist in its inherent strength half so much as in its inviting logical affinity to one very important and very direct application, which English thought has already, on other grounds, heartily accepted; we mean the perfect liberty of individual opinion, and the evil of any sort of social excommunication of mere heresy. So well aware is he that the persuasiveness of his theory will lie mainly in its seeming adaptation to yield this already established conclusion, that the ground we have hitherto disputed with him, though it is the key of his position, is not that which he takes the most or the first pains to fortify. On the contrary, he trusts mainly to the indirect argument we have indicated. Here, he wishes his readers to feel, is a principle which is recognised by the highest and noblest minds, which is deeply ingrained in English politics, and is every day more generally acceptable in English society,—the principle that men's honest individual opinions and beliefs ought not to subject them to any persecution, explicit or indirect, political or social. Accordingly he spends the first half of his essay on reconsidering this principle, and developing it beyond its already familiar political aspects into its purely social bearings. He sees that there is much chronic social intolerance left which ought to be eradicated, and he perhaps justly thinks his theory of society well adapted to educe an extension of this principle, to prove the inadmissibility of those social excommunications which religious heresy still frequently draws down. If society has no further right than to



protect itself against practical transgressors of social duties and claims, how clear that it has no right to stir up any sort of social resentment or arm prejudice against a man who has simply used his own individual liberty of thought to form his own individual convictions! And what theory of society but that of self-protection would be likely to leave the sphere of individual thought so inviolable? How closely connected are individual opinions on religious or moral matters with the individual conscience! and if we are once to admit that public opinion about right and wrong has any thing at all to do with the sphere of government, or even with the exercise of social authority, how can we prevent endorsing all sorts of claims to punish men for their opinions? Only if we admit that there is an absolute sphere of individual liberty which society is not warranted, on any pretence whatever, in infringing, can we feel sure that we have a theory of society in perfect harmony with this important principle.

Thus, as we believe, or in some similar strain, Mr. Mill has reasoned with himself. Unfortunately, however, for his social theory, he ought to separate the right to form individual convictions from the right to *propagate* them. The two rights, he freely concedes, are practically inseparable; yet the two certainly do not bear the same relation to his social theory. So long, indeed, as the convictions formed have no direct bearing on the admitted rights of others,—so long as they are religious, or belong only to the “self-regarding” class of moral duties,—so long his theory would justify their free propagation as well as their free formation. But once let them have a revolutionary tendency in their bearing on social life,—once let their adoption have evil consequence which would fall primarily on *others*,—and he feels at once that the “self-protecting” theory of society would justify both government and social opinion in interfering to punish or to excommunicate the propagandist. Mr. Mill does not attempt to get over this difficulty. He knows that government ought to interfere only with evil actions, not with dangerous opinions. He knows that social feeling itself ought to draw a broad distinction between evil actions and those opinions which merely encourage and impel to evil actions; but his theory will not admit this distinction. If “self-protection” be the duty of society, it ought surely to discourage in the germ those views which endanger its existence, and not to wait till the risk has borne fruits of serious evil.

Mr. Mill is obliged to draw a distinction between opinions so expressed “as to constitute a positive instigation to some mischievous act,” and abstract opinions with the same tendency: “An opinion that corn-dealers are starvers of the poor, or that

private property is robbery, ought to be unmolested when simply circulated through the press; but may justly incur punishment when delivered orally to an excited mob assembled before the house of a corn-dealer, or when handed about by the same mob in the form of a placard."

With this doctrine we entirely agree; but if it be taken absolutely, what does it really amount to except a complete abandonment of Mr. Mill's own theory, and a virtual admission of our position that, after all, it is the judgment of the social conscience, and not any technical formula derived from a right to protect itself against external disorders, which justifies society in the infliction of political and social penalties, and the expression of social resentment? For if, as Mr. Mill contends, society is the best and only proper judge of what is inimical to its own interests, and is bound to watch over and protect them without regard to the principles of individual morality involved, how can he regard as any thing but positively praiseworthy its attempt to stifle at once,—if not by law, at least by the expression of stern displeasure on the part of the public,—all teaching that would directly tend to subversive actions? On the principle that prevention is better than cure,—on the principle on which society engages police to watch the dangerous classes, as a wiser measure than calling in the military to defeat them when once in force,—no one can deny that to brand the propagation of opinions dangerous to the constitution of society with social opprobrium would be a much safer measure than to punish those who act them out. If an opinion is advocated "that corn-dealers are starvers of the poor," and it is possible, by uniformly frowning upon and, if needful, excommunicating the advocates of such subversive opinions, to prevent the assemblage of that unruly mob before the corn-dealer's door altogether, how much more merciful this course would be than to let the doctrine reach that degree of influence and then punish its propounders! Mr. Mill makes reply, as we understand him, that he admits this consequence; that, strictly speaking, society has the right to guard itself against revolutionary opinions, even while only abstract; but that it wisely waives this right for the chance which always exists that by habitually listening to all abstract opinions, it may occasionally be induced to reconsider its own view, and give in its adhesion to what it at first erroneously deemed subversive doctrine. In short, society, he thinks, properly runs the risk of delaying for a while to protect itself against many really dangerous opinions which may gain ground and become practically threatening, in order that it may protect itself against the alternative and worse risk of overlooking the truth contained in some seemingly but not really dangerous opi-

nions. This is, however, practically leaving it to the discretion of society whether in any given case it regards the practical risk or the chance of new light as the greater. The right of self-protection always exists; and if it is waived, it is only because society does not fear so much as it hopes. Mr. Mill, on his theory, could not charge French society, for instance, with any inconsistency, looking to the past, in prohibiting or punishing the propagation of such doctrines as Proudhon's, that "property is robbery." The chance of new light from such doctrines is infinitely small. Socialism has had its trial, and been condemned. The risk of social commotion from such doctrine is proved by experience to be great; if society elects to excommunicate such teachers, and crush the almost certain evil in the bud, society is quite justified on Mr. Mill's theory. It prefers to protect itself against the physical danger rather than against the possible ignorance which free discussion might remove. It regards the risk of the former as very great, and the risk of the latter as infinitely small. Accordingly political and social intolerance is certainly clearly admissible,—on the theory that the only duty of society is to protect itself,—in the case of all opinions which seem to threaten, in the opinion of the majority, much more social danger than their investigation could possibly bring new light. After all, then, Mr. Mill's doctrine does not exclude considerations as to the degree of social unanimity against an opinion, and the nature of the apprehensions excited by it, from the problem as to the right or wrong of exercising tolerance towards it. "Self-protection" is a duty which is found to require much judgment; and different lines of conduct are justified by it in different countries and under different social conditions.

Moreover, Mr. Mill's theory does not only leave large room for social and political intolerance, but in those cases where it does admit intolerance at all, it admits it in the highest degree. Suppose society convinced—say by bitter experience, such as that of revolutionary France—that it had far more danger to apprehend from the spread of exciting doctrine on any particular subject than enlightenment to look for from the discussion, it will be warranted in using the most effective social measures for its extinction. That is but poor "self-protection" that only half does its work. The earlier the blow is struck, the more entirely theoretic the stage in which the social heresy is extinguished, the farther it is from any actual criminal intention at the time, the better. So far from waiting till the mob is before the corn-dealer's door, according to the true principle of self-protection, society would raise a hue and cry against the social heretic when first he began to intimate that to destroy granaries of corn in order to raise the price of the remainder is a selfish and un-

principled act. Once let the teaching take the form of a popular cry,—once let selfish ends become interwoven with it,—and it might be too late. The theory of self-protection, then, will not only justify intolerance to social heresies in given cases, but in those cases will justify it at the point farthest removed from practical action; while the intellectual error, and that alone, is the danger to be feared.

Now let us compare these results of Mr. Mill's theory as to the limits of social authority with what we may call the natural theory, which gives the social conscience both liberty and right to express itself strongly on all moral points sufficiently simple, and sufficiently clear of individual elements, to be within its comprehension. We maintain that this, no doubt very commonplace and practical, but not the less, we believe, true, mode of looking at the duty and province of society, will be found to justify Mr. Mill's candid but not very self-consistent admission,—that merely abstract opinions tending to mischievous social acts ought to be absolutely unfettered and free, whereas "opinions so expressed as to constitute a positive instigation to those acts" should be punishable as social offences,—far better than his own theory. Once make it the very essence of the law of right acknowledged by society to take measures for mere self-protection, and we cannot refuse it the privilege of judging how that end will be best accomplished. Mr. Mill says it is the only guarantee for the soundness of a practical principle that its theory should be always entirely open to attack, and yet should have endured uninjured all such attacks as may have been directed against it. But make self-protection your only rule, and society can scarcely be denied the right to judge for itself in this matter, especially after winning two or three expensive and exhausting victories over such adversaries. The theory of self-protection will not admit account to be taken of individual purposes or motives, except as an element in the probable danger to society. A very good and innocent fanatic, dealing in abstract opinions only, may be very dangerous; and a very guilty and mischief-meaning scoundrel, with selfish ends close in view, may choose his ground so ill as to be very harmless. In this case, according to Mr. Mill's theory, society would be bound to punish the former, even though his instruments were abstract opinions only, but likely to work powerfully; and to ignore the latter, even though his opinions were "so expressed as to constitute a positive instigation to mischief," but yet were inefficient opinions, likely to have no practical effect. But once let us see that society will not really protect itself best by making self-protection the one end and aim of its law of right,—once admit that if it act on the natural principles of individual justice, and strive to judge mischievous

acts by the degree of individual ill-intent they involve rather than by the risk to itself, it will really be better protected than if it think only of self-protection,—and it will at once follow that opinions should never be judged purely by their mischievous tendencies,—should never be punishable, in short, socially or politically, except when in the closest possible relation to the acts they seem to justify. To take Mr. Mill's own illustration: so long as the doctrine that "corn-dealers are starvers of the poor" is a mere theory, it may have risen from a thousand sources of intellectual and involuntary error,—from confused political economy, confused theories of society, and so forth; but no sooner is the actual deed of violence which that doctrine would justify vividly present to the eye in a real individual case than we feel assured, in ninety-nine cases out of every hundred, that any man who had not the mind of a common robber would shrink back from the consequences of his own theory; while the hundredth man, though possibly an innocent fanatic, cannot expect to have the law made for his exceptional case. This is the only real distinction between an abstract opinion and an opinion giving birth to an action. It may be quite possible for an innocent opinion to justify a very criminal action; but scarcely so if the two are brought into such immediate relation of cause and effect that the mind of the merely speculative thinker fully realises all the elements present to the mind of the criminal doer. We maintain, therefore, that the just ground for permitting the free propagation of such abstract opinions as, if they took the concrete shape of recommending specific actions, would be justly punished, is that in the one case they often involve no kind of guilt at all, but merely intellectual confusion and want of imaginative power; while in the latter case, if the social judgment be not itself utterly distorted, they can rarely be free from a deep stain of guilt. But on his own theory of the merely self-protective right of society, Mr. Mill would be obliged, we maintain, to make large and important exceptions to the very just principle he lays down with respect to the difference between mischievous opinions and "opinions so expressed as to form absolute instigations" to mischievous acts.

We hold, then, that Mr. Mill's own theory does not permit nearly so clear a distinction between opinions and actions as is absolutely necessary for any true guarantee of social tolerance. Measure Wrong by the mere amount of tendency to imperil the admitted rights of others, and you cannot draw any satisfactory distinction between the intellectual and the practical tendencies which imperil them. Measure it, on the other hand, by a practical standard, the purpose and circumstances of the wrong-doer, and there is the broadest distinction between a theory and an

instigation, — an impersonal conclusion of the intellect, and a practical recommendation which realises the whole actual significance of the injurious theory. Of course, if what we have called the natural theory of social right be the true one,—though the indignation of society ought to fall only on such teachings as come into the very closest relations with evil acts,—there is no reason why it should not fall as much on teaching of this sort when it corrupts only the moral conduct, as when it tends to invade the social rights of others. Mr. Mill's doctrine would not only exclude the *legal* punishment of preachers of such socialist doctrines, for instance, as advocate the promiscuous intercourse of the sexes,—for there we should agree with him, not because we deny government the right to interfere, but because, in England at least, we doubt if society would not have far more power to interfere efficiently by social means only,—but it would prohibit any manifestation of social feeling against them as an intolerance. We hold, on the other hand, that there can be no greater offence against the true principles of liberty than to deny society the right, admitted to individuals, of expressing the convictions of the social conscience freely and strongly on all subjects of this kind on which the social conscience can adequately judge.

How, then, Mr. Mill will ask, do we provide against that religious and social intolerance which, as his own essay most eloquently shows, is still so deadly a poison in English society? If we contend that the social conscience should be as free to judge and speak as the individual conscience, how are we to protest with any force against that miserable bigotry which *always* professes to speak from the impulses of a pure moral zeal, and very generally really is closely connected with the moral nature? So long as a social prejudice or exclusive piece of bigotry can assert that it is grounded in moral feeling, we shall have no means of assailing it except on its most hardened side;—we shall not, like Mr. Mill, be able to attack it in the rear; on the ground, not that it is wrong, but that it is out of place, and interfering in a region where it has no proper title to interfere at all. If a sabbatarian-minded society, for example, wishes to impose its own sanctimonious rules on a protesting minority, Mr. Mill would set to work to oppose it, not by contesting the right to interfere on this particular subject, but by trying to establish a general canon of social right, which, if accepted, would on examination be found to deny the power to dictate on this question. We, on the other hand, could only fight the battle separately on each particular point as it occurred. We admit fully this inferiority, if it be a real inferiority, in the advantage of our position; but seeing that all the triumphs of



social and political tolerance have been practically gained in this way, and not in Mr. Mill's,—have been gained, we mean, by convincing society or the State that men of the highest moral and social virtue have differed in their religious or biblical tenets, and that therefore the conscience of society could not be said to have determined these points at all,—we exceedingly doubt the inferiority of our position to Mr. Mill in respect to any practical advantage. Mr. Mill instances the fundamental questions of the belief in God and a future state, and intimates that the conscience of a vast majority would stoutly affirm it an immorality to reject these beliefs—in fact, a symptom of moral deformity. It may be so; but we strongly believe that, if it be so, the way to convince society that it is in error is, not to deny that its conscience has any right to judge of individual conduct, but to exhibit the many great complexities of intellectual constitution which have prevented, and do prevent, men of pure life and stainless integrity from accepting these faiths; and to point out, moreover, that one of the greatest obstacles in their way is the uncharitable excommunication to which society in its pharisaism dooms them. This would be a victory over the social conscience gained by an appeal to the social conscience, and therefore, we believe, would be much more likely to be firm and permanent than one gained by merely persuading society—which it would be hard to do—that it has no concern with the individual principles of life and action, as such, at all. We always mistrust these indirect victories over either individual or social opinion. The social conscience, like the individual conscience, will not submit to be merely out-manceuvred; it takes the liberty, after all, of forming its judgments, with reference to the rights of a question, on those rights. The best answer to Mr. Mill on this point will be found in the admirable lecture of Professor Newman which we have placed with his own book at the head of this article. No one can have felt more keenly than Professor Newman how grave an evil the narrow prejudices of the social conscience may be;—how injurious, first and mainly to the intolerant Society, next, and also grave, to the sufferer from social bigotry. Yet no one could have expressed more truly and profoundly the ground which it is wisest to take in struggling to remove this narrowness of social opinion; no one could have explained more ably why it would be foolish as well as unjust to deny the social conscience its just jurisdiction over individual life, and how much more hope there is of undermining social bigotry by enlarging the view and rectifying the judgment of society than by attempting to dispute its right to interfere in individual morality at all.

One of the most striking passages in Mr. Mill's essay ap-



pears to us to tell very strongly against his own view. No more graphic picture of the predominant modern phases of social bigotry could well be given than Mr. Mill gives in the following words:

"But though we do not now inflict so much evil on those who think differently from us as it was formerly our custom to do, it may be that we do ourselves as much evil as ever by our treatment of them. Socrates was put to death; but the Socratic philosophy rose like the sun in heaven, and spread its illumination over the whole intellectual firmament. Christians were cast to the lions; but the Christian church grew up a stately and spreading tree, overtopping the older and less vigorous growths, and stifling them by its shade. Our merely social intolerance kills no one, roots out no opinions; but induces men to disguise them, or to abstain from any active effort for their diffusion. With us heretical opinions do not perceptibly gain, or even lose, ground in each decade or generation; they never blaze out far and wide, but continue to smoulder in the narrow circles of thinking and studious persons among whom they originate, without ever lighting up the general affairs of mankind with either a true or a deceptive light. And thus is kept up a state of things very satisfactory to some minds, because, without the unpleasant process of fining or imprisoning any body, it maintains all prevailing opinions outwardly undisturbed, while it does not absolutely interdict the exercise of reason by dissentients afflicted with the malady of thought. A convenient plan for having peace in the intellectual world, and keeping all things going on therein very much as they do already. But the price paid for this sort of intellectual pacification is the sacrifice of the entire moral courage of the human mind. A state of things in which a large portion of the most active and inquiring intellects find it advisable to keep the genuine principles and grounds of their convictions within their own breasts, and attempt, in what they address to the public, to fit as much as they can of their own conclusions to premises which they have internally renounced, cannot send forth the open, fearless characters, and logical, consistent intellects who once adorned the thinking world."

This is most true and most graphic. But how does it tell on the theory that social opinion ought not to interfere in any way with individual life and conduct? that if individual morals or creeds excite social resentment, that resentment is neither to be expressed nor fought against, but rather to be suppressed or burked in conformity with the canon that social opinion should not meddle with such matters at all! Why, Mr. Mill's theory of an ideal public mind seems to us to be exactly what should lead to the state of things described above. If Society is to be made to feel that it is to have no social judgment, no social conviction, no social likings and dislikings, on individual morals and creeds at all,—if the social mind is simply to *abstain* from all corporate acts of conviction which might carry the weak along with it, or

intimidate the cowardly into base compliance,—how could we have any thing but “heresies smouldering in the narrow circle of studious persons among whom they originate”? What is it that makes opinions “blaze out far and wide,” and “light up the affairs of mankind with either a true or a deceptive light,” except a profound conviction on the part of the social conscience that it *is* concerned in those convictions, and *has* a real relation to them, either in the way of cordial belief or of as cordial rejection? If Mr. Mill had looked for a theory of society which, if adopted, might have the effect of prolonging so undesirable a condition of things, he could not have invented any so excellently adapted to that purpose as his own. It is the belief that society, as society, has a common life, liable to be vitally influenced by the acceptance or rejection of religious and moral faiths; it is this true belief that favours those hearty battles between conflicting sections which are so much better and healthier a sign of the times than “smouldering” orthodoxies and equally smouldering heterodoxies. If, as Mr. Mill believes, society has no such common life, it is impossible that the enunciation of truths or errors could stir up in it these elevated moods of social emotion. If common opinions are to be debarred all active expression, all signs of either approval or censure, for fear they may subdue the cowardly or silence the timid, it is impossible that the conflict between truth and error can be any thing but a weak and dropping fire carried on by individual marksmen. Mr. Mill uniformly advocates an unsocial conception of liberty which exactly corresponds to the condition of things he so eloquently condemns.

We have not been able to enter, as we had intended, on the discussion which Mr. Mill's book raises, though only as a secondary question,—the true limits of political as distinguished from social authority. There are, of course, many considerations which would limit the interference of positive law with “self-regarding” actions, which do not apply in any way to the authoritative influence exerted by social opinion, custom, and faith. Of these, one of the most important is the absence of any *natural* prosecutor in the case of offences which do not infringe the rights of others, and the natural indisposition of English law to lend any sanction to mere informers. Another great limitation on the interference of government with other classes, as well as with this class, of offences, is the general and healthy conviction that our criminal law should exact something *less*, not only than the average moral *standard*, but even than the average moral *practice* of the community, while social opinion may, and generally does, represent something either quite up to the average or even above it. It is by no means desirable that law should

be nearly up to the level of a nation's conscience; were it so, indeed, criminals would be rather the rule than the exception. And besides this, beyond a certain point conscience ceases to concern itself with actions and broad purposes, and goes into those complex shades of motive where law neither can nor ought to follow it, and yet where the influence of the social conscience can sometimes penetrate with effect. All these and many other considerations limit the proper sphere of legal authority very closely; and yet not even as regards this much more limited sphere is Mr. Mill's theory at all likely to be absolutely admitted. The worst and most unnatural crimes which are punished in England, which certainly need the brand of legal as well as social infamy, would go untouched if his doctrine, that purely self-regarding actions are beyond the authority of society, were to be admitted.

But we must conclude. We have purposely kept in view as the point under discussion, the limit of *social* rather than of legal authority, because it was the characteristic feature of Mr. Mill's book to raise this larger question. Indeed, the points on which we differ from him most profoundly affect the essential principles of political philosophy; which they could not do if they merely determined the proper limits of legal interference, instead of the limits of "the power which can be legitimately exercised by society over the individual." We have sought to show that, notwithstanding his running eulogium, Mr. Mill has missed something of true respect for individual liberty, exactly because he has systematically and profoundly underrated the significance and value of social liberty. In his effort to guard an absolute sphere of liberty for the individual, he would put most unwarrantable constraints on that social freedom which is quite as necessary to all mighty and rapid currents of human faith. Mr. Mill maintains, in fact, that every individual mind should be surrounded with an element that is a perfect non-conductor of social authority; a private sphere, from which social life should be jealously excluded. We maintain that this would be as fatal to the due development of individualities as to the due growth of social and national life. We hold that society has, and ought to have, a common life, which sends its pulses through every individual soul. If St. Paul's teaching, that different men are all "*members*" of one body, appears to represent insufficiently the independence of moral and individual character, yet the opposite conception of society as a mere aggregate of independent units implies a much more delusive and much commoner mistake. There *is* a common life and common conscience in society; and every individuality soon becomes a mere loose atom of eccentricity which does not feel, acknowledge, and show

clear indications of its influences. The man who is most willing to open his mind to the stirrings of social faith and social conscience, is the one whose individual thought and powers will react most strongly upon society. Mr. Mill, in trying to exclude the influences of the one, has been unconsciously exerting himself to famish and paralyse the other.

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ART. VI.—MORLEY'S MEMOIRS OF BARTHOLOMEW  
FAIR.

*Memoirs of Bartholomew Fair.* By Henry Morley. Chapman and Hall, 1859.

WE have long been of opinion that the by-ways of history are nearly as instructive as its highways, and often more entertaining. Over wars ending in hollow truces, over treaties which do not bind, over marriages which do not unite nations, over political rivalries and polemical feuds, it is often lawful to slumber; and many persons of good judgment confess their inability to read history with any interest or satisfaction, because, if even a squabble in a parish vestry be seldom, if ever, truly reported in the county newspaper, it is unreasonable to look for truth, or indeed for much probability, when we read of the actions or the motives of men in the great theatre of the world. The highways of history too often lead to Doubting Castle; in its by-ways, on the contrary, nothing short of minute investigations and graphic presentation of facts can render a record of them endurable. The *minutiæ* of the theme will not poise and buoy themselves up like the annals of war and peace, of intrigue and negotiation; they must bring their own warrant, or they will not be readable. Again, the vouchers on which they rest are often more to be relied on than the documents for graver matters,—they are composed for the most part of facts and observations made and recorded without design. In these comparatively trifling matters, affecting neither church nor state, neither crown nor people, neither Whig nor Tory, we have not to balance between Clarendon and May, between Lord Macaulay and Mr. Paget; our personal or hereditary prejudices are not awakened or concerned in the questions raised in them; we can afford to be indifferent without affecting to be philosophic, to be candid without being guilty of cant. Moreover, if we are not amused by the matter, neither are we likely to be instructed by it: dullness in the narrator brings its own immediate punish-

ment with it: *Quodcumque ostendis sic* (i. e. unpicturesquely), *incredulus odi*. Traced by the finger of Dryasdust, such themes are buried in the *Archæologia*, and disinterred by historians to serve as accessories to their higher and graver narrative. But the curious in antiquity who would keep his readers awake must be entertaining as well as erudite. His vessel may be ballasted as heavily as he chooses with sound learning; but he must trick out his wares in gay colours, and dispose them on his stall in a manner pleasant to the eye. It may be a duty to learn all that conduced to the Reformation in England, or the Revolution in France—all the antecedents and consequents of the Petition of Rights, and the National Assembly; but it is not incumbent on any one to "get up" the curiosities of history. To be ignorant of these will be no discredit in society, will be no hindrance to success in a competitive examination. The burden of amusing is accordingly laid on the shoulders of all who frequent "By-meadow Lane;" and as easy reading is said to be the result of hard writing, so books like Mr. Morley's *Memoirs of Bartholomew Fair* are among the most difficult to write successfully. We are inclined to think that few persons will readily close this volume until they have perused it *ab ovo ad mala*. It is well conceived, so far as regards its theme; and well executed, as far as regards its manner. We could desire, indeed, that in his earlier chapters he had avoided the modern-antique style, which not only does not catch and represent the tone of a genuine chronicle, but has been ridden to death long ago. As his story proceeds, however, Mr. Morley's manner of narrating improves with it, and the latter moiety of the book is open to little or no objection in this respect. Altogether he has produced a very learned, curious, and animated picture of scenes in the past of England; one which will interest those who read for amusement alone, and instruct those who mark and learn, meditate and digest the light or the solid food presented to their understandings. The woodcuts which illustrate the text deserve special commendation, both for their selection and execution. They serve the double purpose of maps for the ground and memorials of the peculiar scenes enacted on it. If St. Bartholomew had his poet-laureate in Ben Jonson two centuries ago, he has now found in Mr. Morley his archivist and historiographer.

There is scarcely any subject which may not be made to serve as a centre to divers other subjects; scarcely any one province of knowledge standing so apart and isolated as not to draw to itself trains of kindred provinces and associations. Sometimes these kinsfolk or allies will merely osculate and then diverge for ever; sometimes they will coincide also, and interpenetrate one another, as if they had really sprung from one parent root.

Other themes, again, are in their nature so elastic that, like Berkeley's famous Essay on Tar-water, or the ancient conception of Rumour, one end of them rests upon common earth, while the other scales the empyrean. Among such preëminently central and elastic subjects,—*central*, that is to say, in virtue of their relations to man's life, and *elastic* by reason of their numerous affinities,—roads, inns, and fairs hold a conspicuous station. Upon every one of them volumes have been written, and will continue to be written. Bergier, in his two quarto volumes upon *Les grands Chemins de l'Empire romain*, has touched upon a single province only of the subject of roads. Tholosanus (*Jean de Tours*) has scarcely glanced at fairs in his treatise *De Nundinis et Mercatibus*; and though clubs have their chroniclers, inns still await one. Yet when we remember that from the remotest ages man has been migratory, gregarious, and convivial; that he has accordingly required the means of transit, assemblage, and recreation; that business, religion, and pleasure, have all combined to render these three instruments of motion, station, and refreshment necessary to him; that if we take the wings of the morning, we meet with them in the most ancient of lands; that if we step westward, we discover them in the most recent,—we shall find that the history of roads, inns, and fairs, ascends by perceptible degrees to the first syllables of recorded time, and then passes into that illimitable region which antedates antiquity itself. Our present business is with fairs, especially with that which Mr. Morley has now caused to afford a pleasant and profitable chapter in the history of English life and manners. Before, however, confining ourselves within the bounds of the "smooth field,"—for such was once the now granite-paven square of Smithfield,—we will glance at some of the precursors of the great fair which had St. Bartholomew for its patron—so far as they present features in common with this once populous resort of the pious, the busy, and the idle.

The first fair, like the first play, is, or at least used to be, an epoch in childhood. It was—with its streets of booths, its glorified confectionery, its wilderness of toys, its banners, its music, its monsters, its beasts from Afric and from Ind, its sea of faces, its garish colours, its hubbub of sounds—a primary revelation of the marvels and the mystery of the great world. Thenceforward the dreams and imaginings of the nursery assumed a new aspect; the horizon of the real and the unreal was suddenly enlarged; the imitative faculties of its inmates became more vigorous; times and seasons were differently computed; the remembrance of it was recalled by broken toys, by wandering organs, by every stray waif of the great jubilee that met us on the high-road,—bears and monkeys, caravans and tum-



blers, gipsy tents, and the uncouth garbs and faces of such Ishmaelites of the earth as have no abiding-place upon it. The skirts of the vision lingered on the evening sky long after the last booth had been struck, and the quaint old market-place had resumed its usual dullness. Thenceforward to the mind of childhood it became a kind of *lustrum*, or Olympiad; a period of time to and from which all other time was to be reckoned. The fair was a meteor which had shot athwart the firmament of our daily life.

How deeply the image of the Bedfordshire fairs had impressed itself upon the mind of John Bunyan appears from his description of the fair in the town of Vanity. The allegory vanishes in the vivid precision of the scene. "This fair," he writes, "is no new erected business, but a thing of ancient standing. . . . In it are several rows and streets, under their proper names, where such and such wares are vended: the Britain Row, the French Row, the Italian Row, the German Row; where several sorts of vanities are to be sold, as houses, lands, trades, places, honours, silver, gold, pearls, precious stones, and what not." John, unless it were to preach in the outskirts to a few stray sheep in the wilderness, was no frequenter of such scenes since the days when he played skittles and swore like a trooper; but the profane image rested on his mind's eye with unfading power. In his days, indeed, and long afterwards, fairs were in their glory. Few of the provincial towns or cities of England were connected with one another by great roads, or were wealthy enough to possess or support retail shops. Fairs stood to them in the place of two-thirds of what is now the local and ordinary trade. At these migratory depôts alone, whose seasons and duration were fixed by statutes and charters, could all the elegancies and many of the necessities of life be obtained, at least without imposing on the buyers of them long and costly journeys to London, Bristol, or Norwich. So necessary were they to the existence of the community, that in the reign of Henry VI. the monks of the priory of Maxtoke in Warwickshire, and of Bicester in Oxfordshire, laid in their annual stores of common necessities at Stourbridge fair in Cambridgeshire, at least 100 miles distant, and notwithstanding that the two cities of Oxford and Coventry were in their immediate neighbourhood. In the reign of Henry VIII., it appears from the household book of Henry Percy, fifth earl of Northumberland, that his lordship's family was supplied with necessities for the whole year from fairs,—“He that stands charged with my Lorde's house for the houll yeir, if he maye possibly, shall be at all Faires, where the greice emptions shall be boughte for the house for the houll yeir, as wine, wax, beiffes, muttons, white



and malt;" and in the reign of Elizabeth, Tusser recommends to his farmer the same plan, both for purchase and sale :

" At Bartilmewtide, or at Stourbridge faire,  
buieth that as is needfull thy house to reparaire :  
Then sel to thy profit both butter and cheese,  
who buieth it sooner the more he shall leese."

In the third year of James I. Stourbridge fair had acquired such celebrity that hackney-coaches attended it from London ; and it subsequently became so extensive that for several years no fewer than sixty coaches have been known to ply at this fair.

Mr. Morley has glanced, in the introduction to his proper theme, at some of the more remarkable of these assemblages in Europe generally. Those of the East were no less considerable and were generally held on some spot consecrated by religious traditions. Under the Fatimite Caliphs, in the eleventh century, there was an annual fair held on Mount Calvary ; and in the time of Constantine, Jews, Gentiles, and Christians assembled in great numbers to perform their several religious rites, and to hold a fair around a tree reputed to be the oak of Mambre under which Abraham entertained the angels. The frequenters of this fair displayed a cosmopolite temper which would have contented Goethe himself. In the sixth century St. Basil complained that his own devotions and those of his flock were disturbed by the tumult of the fairs held near the martyrs' shrines. But most picturesque of all must have been "the great fair of Almachara in Arabia, which, to avoid the great heat of the sun, was kept in the night, and by the light of the moon," and of which Sir Thomas Browne desired to have a picture for his "Museum clausum." The fair which Dagobert chartered "in honour of the Lord and to the glory of St. Denys" was a step in advance of free-trade and civilisation in France. During the ten days in which it was held, the high-roads, as in the days of Deborah the prophetess, "were delivered from the noise of the archers," and men during that period went to and fro in peace. The taxes, customs, and *octroi*, which hitherto had swallowed up half the merchants' goods, were remitted, and Paris became an emporium for "the iron and lead of the Saxons, for slaves, for the jewelry and perfumes of the Jews, for the oils, wines, and fat of Provence and Spain, for the honey and madder of Neustria and Brittany, and for merchandise from Egypt and the East." The fair was proclaimed "on the 10th of October, was opened by a procession of monks from the abbey of St. Denys ; and in later times it was usual for the Parliament of Paris to allow itself a holiday called *Landi*, in order that its members might take part in the great marriage-feast of commerce and religion." Perhaps still more memorable than any Mr. Morley has named—

than the fairs of St. Denys, Frankfort, Lubeck, or Munich—are the great fair of *Novogorod* in Russia, which has assembled for centuries, and still continues to assemble, myriads of nearly every colour and costume, and the yet greater one of the *Hurdwar* in the northern part of Hindostan. Neither Babylon nor great Al-Cairo, in their most high and palmy state, exhibited such myriads of the human race, or so diversified in speech, feature, and attire. Scarcely one of the families of mankind is there without its representative; and in each case the vast assemblage, dispersing as rapidly as it has been evoked, spreads its several radii over the great tableaux of Asia and Europe, and “leaves not a rack behind.”

But *paulo minora canamus*, we must descend from the general institution of fairs, and refer the reader who would know more of them to such authorities as Marco Polo, and to the Spanish chroniclers of America, who saw and marvelled at the sight of the periodical gatherings of Mexico and Peru. Our boundaries will henceforth be a few acres of marsh and meadow land in the suburbs of London, at Smithfield, lying within the king's market, and entailed on the crown for the maintenance thereof, and therefore not, strictly speaking, belonging to the individual wearer of it.

It was truly an ungracious bit of ground. In the first place, the gallows had long stood on the site of the future church; and a Greek or Roman founder of a temple, or even a city, would have turned his ploughshare far away from soil so unblest. Then, according to Mr. Morley's chronicler, the land was as barren as the estate which Captain Dalgetty had the luck to inherit: “The place, aforesaid, pretended none hope of goodness. Right unclean it was, and as a marsh dungy and fenny, with water almost every time abounding.”

Assuredly the builders of churches and monasteries, in their notions of eligible sites, differed widely from the modern Scotts and Barrys. Either they had great confidence in the virtues of hair-cloth; or, like Corporal Trim, they “burnt brandy in the trenches,” as a preventive against ague, rheumatism, and marsh-fever; or, being holier, were also hardier men than ourselves. In these matters, indeed, we have sometimes little to thank them for—*delicta majorum immeriti luimus*?—since, inasmuch as our towns and cities have grown up for the most part around cathedrals and abbeys, and as these were generally seated in the middle of a swamp, we owe to our ancestors' contempt of damp and foul air some of the ills which registrars bewail quarterly, and Boards of Health are labouring to correct. The founder of the Priory of St. Bartholomew had, however, little or no choice. The site of his erection had been revealed to him in a vision;

and perhaps the saint who accorded it was not unwise in his generation, since the king might have scrupled to grant to the petitioner a more valuable spot of the royal demesnes.

But we must now turn our eyes on the grantee, the founder of the priory. He will present some mediæval features worth our notice.

The founder of the Priory of St. Bartholomew would seem to have been as ingenious a gentleman as any recorded in the *Lives of the Saints* or the *Picaroons*. Dr. Doran has overlooked Rayer, or, as he was called in the *Latin Chronicle*, *Raherus*, in his biography of royal fools and jesters; yet he was well entitled to a conspicuous niche in the temple of fooldom. Rayer combined the properties of mime and monk. He raised himself in the world by his admirable gift of jesting; he confirmed his fortunes by good works, sackcloth, and cowl. Horace Walpole shrewdly remarks that Gray saw but half the truth when he wrote that many Hampdens, Miltons, and Cromwells might lurk in the obscurity of a village; since lawn-sleeves also might conceal many a dextrous attorney, and a judge's wig cover the head of many an excellent jack-pudding. Rayer would have fitted both Gray and Walpole's "modern instances" admirably. He was originally of Yorick's profession—a king's jester; but his coxcomb was destined to become a cowl. Though of low birth, he contrived to insinuate himself into noble and princely households, and even into the king's palace itself. There his ready wit and adroit flatteries proved a sauce so acceptable to the sirloins and chines of our gross-feeding ancestors, that he was looked for when the seneschal brought in the first dish, and was not dismissed until the torches began to burn dim and the wine and wassail had dulled the faculties which had been tickled by his sayings. He was a useful fellow in all masques and revelries, lord of misrule, manager of the sports, and principal actor in the same at the court of his sovereign liege Henry I.; and as he seems to have had the knack of presenting petitions for others, so he doubtless secured for himself both guerdon and remuneration. Wiser in his generation than Yorick, who merely pointed a moral and adorned a play; than Will Somers, who narrowly escaped hanging by the great cardinal; and than Archie, who got his motley coat stripped off by Laud,—Rayer realised property. He coined his brain for ducats by his jesting as effectually as if he had indited a comic History of England or a comic Blackstone; and when mimes and quips and quiddities had done their work, he turned his back on them, and began the serious business of his life.

Henry Beauclerc, like his father the Conqueror, was a right valiant king, though he could write his own name, and even

read, without aid from his chancellor or confessor, his letters and speeches, his lauds and primes, and possibly also pious or profane chansons in the tongues of *Langue d'Oc* and *Langue d'Oïl*. But his mind was not unclouded. He was plagued with evil dreams, and frequent misgivings about his condition. Certainly his visions of the night were of the worst sort. At times he saw a great company of clerks, armed with divers weapons, and threatening him with arrest for debt; at other times he was

“Cum grege linigero circumdatus et grege calvo,”

surrounded by bishops in synod, striking at him with their croziers. A sovereign so haunted in our days would seek relief at Malvern or Harrogate, Scarborough or Brighton, or from the prescriptions of Sir Henry Holland. Eight centuries ago the method of purgation was different, and modern means were not so available. The ablest leeches in the twelfth century were Jews, unmeet to physic an anointed sovereign; Malvern was too near the Welsh border for it to be a safe resort for invalids; Harrogate and Scarborough stood in the midst of a howling wilderness, which the Conqueror had made when he wasted with fire and sword the whole space between the Humber and the Tweed; and the sea-side was still insecure, for although the days of the Vikings were nearly over, yet there were “water-rats” in the shape of pirates who swept off lord and lout, man and cattle, indifferently, and would have exacted a king’s ransom as blithely as Falstaff robbed the king’s carriers. And so Henry Beauclerc medicined his soul by doing “great deeds of charity” in Normandy and England, among which was the founding of Reading Abbey, about the same time that his jester Rayer expiated his sins as mime and jester by founding the Priory of St. Bartholomew in Smithfield.

When the Jew, in Boccaccio’s tale, who had nearly been persuaded to become a Christian, insisted upon seeing Rome before he was baptised, his Florentine friends gave up their convert for lost: “For,” said they, “once let him see the capital of Christendom, and its simony, its license, and its turbulence will root in him more deeply than ever his allegiance to Moses and the prophets.” Their augury, though reasonable enough, was not fulfilled; for the Israelite, after visiting and considering Rome, demanded instant baptism on his return, convinced, as he said, that none but the true faith could exist at all amid such manifold and monstrous corruptions. It does not appear that the faith of Rayer was similarly tried; either Rome was, when he visited it, less openly abominable than it afterwards became, or the sense of the jester was less delicate than that of the Jew, and the ex-mime was confirmed by what

he saw and heard there in his purpose of "going into religion."

Seldom were men grievously sick in those days without desiring to become monks: "dying, they put on the weeds of Dominic." Rayer was no exception to the practice. The recollection of his inconvenient jesting troubled him: perhaps he had mocked the royal chaplains at the king's table, or even made mouths at Thomas à Becket. The approach of death sobered "the pestilent mad knave;" and he vowed that if God would grant him health, and restore him to his own country, he would make an hospital for recreation of poor men, and minister to them, "therein gathered," necessities after his power.

It is very interesting to note the difference between the paths of ancient and modern charity. Now, if a hospital, a church, or an almshouse, is to be built and endowed, the good work is performed by association through the instrumentality of sermons, subscription-lists, fancy-fairs, and petitionary cards. Patrons are elected, governors and trustees are appointed, committees organised. All that is done implies the working of a social system, highly civilised and nicely graduated. The individual has become a unit of greater or lesser dimensions in the social sum. But when St. Bartholomew's Priory was founded, the exemplar deeds of charity were ordinarily performed by single hands. The patron was a saint; the labours of governors and trustees were discharged by the founder; and the world at large stood apart from the pious or charitable work.

Yet let no one imagine that the latter estate of the world is worse than the first. In uncivilised ages men do not, and indeed cannot, coöperate easily. They are for the most part restricted from combined action by the strong lines of demarcation which part one class of society from another. The merchant would have been deemed presumptuous who should have laid down his bag of silver beside the knightly purse; the yeoman would have been deemed a prodigal who brought his gift to the merchant's counter. When we read of the splendid endowments of a Roger Bigod, or the unwearied solicitations to the great of a Hubert de Losinga, we are apt to form too high an estimate of the virtues of individuals, and to lament the decay of personal charity and devotion. But the comparison need awaken no sentiment of regret. Society has advanced, the individual has not retrograded; and it is more just to exult in the progress of the community than to deplore the falling-off of such private munificence as Rayer was enabled to exert.

The vows of Rayer were heard; his health and strength returned to him; visions were vouchsafed to encourage him in his charitable designs, and St. Bartholomew proffered his services

as patron of the future hospital, and as guarantee for raising the necessary funds. He was as good as his word; nor has our age of reason any right to smile at that age of faith. Many a promising scheme for the benefit of the friendless and afflicted comes to nothing, or is shorn of its fair proportions, in the nineteenth century, which in the twelfth would have taken root downward and borne fruit upward. The priory and its lands and revenues were chartered by the king. A fair was from the first connected with the church, and put under the immediate protection of the saint. During the three days on which it was ordained to be held, viz. the eve of the feast, the feast itself, and the day following, no one resorting to it might be arrested for debt, or required to pay dues other than the prior, canons, and clergy of the priory should impose. The success of his project seems to have had a most happy effect on Rayer himself; for whereas the jester in his profane state was lean, like Pharaoh's evil kine, it is written of the prior that "the skin of his tabernacle dilated."

St. Bartholomew, unless legends and Mr. Morley do him great injustice, acquired or retained in a better world a strong desire for the goods of this one. Nor have his gains any apparent connection with godliness. He would, when it was made worth his while, consent unto thieves; would drive a hard bargain with mariners in distress, and tout for custom as pertinaciously as any Thames-sculler, or white-aproned waiter in Doctors' Commons. In him army contractors had a firm friend, provided always they set apart for the saint a portion of the profits of the stores which they had filched from the king's depôts. He would have been in peril of the Weedon Commission, and been called to account by Mr. Roebuck for his doings in the Crimea, had modern slop-sellers worshiped any saint but Plutus himself. Bartholomew, indeed, seems to have been the lineal successor of Mercury and Laverna, and to have indemnified himself for the loss of his own skin by stripping and flaying all and sundry persons who came within his reach. It is curious to see the popular religion of the age reflected in its legends. No sooner was a religious house established than it became a point of honour as well as of interest to set up a good business in miracles, and to outbid by signs and wonders other rival houses. At the Priory of St. Bartholomew cripples regained the use of their limbs: a young man whose right hand stuck to his left shoulder, and whose head stuck to his left hand, was unglued there, and released from his inconvenient agglomeration; close-fisted butchers were made liberal by the promise that their bounty should be no loss to them; and—but this is a more questionable miracle—a woman's tongue that had



become too large for her mouth, and consequently useless for speech, was reduced to its proper size and freedom. These deeds of mercy were duly trumpeted abroad ; it was advertised through Middlesex and all the adjacent counties, that whoever needed healing, or connivance in gain, would do better to apply to St. Bartholomew than to resort to the shrine of St. Alban's, St. Edmund's, or St. Osyth ; and Hertfordshire, Suffolk, and Essex found their custom in "extraordinary cures" diminish. The art of *puff* is not the creature of the unbelieving and speculating nineteenth century : *Vixere fortes ante Agamemnona* ; Holloways, Moses and Sons, and Barnums, have never been wanting in the land. Perhaps, after all, the trade in miracles is not more deleterious than the trade in medicines, or adulterated faith worse than adulterated food.

A monastery and a hospital, and not a fair, were in the thoughts of Rayer when he obtained from King Henry the grant of the meadow of "smooth field." Perhaps, could he have foreknown the uses to which his erection and its lands appurtenant would come at last, he would have thought that his own career was symbolic of the fortunes of the soil. He had laid the foundation of his estate in jests and mimes ; and to jests and mimes it would again return, after serving other sacred and secular purposes. One object of his foundation, indeed, abides unchanged ; the sick are still relieved in the noble hospital of St. Bartholomew, and science and suffering have even now reason to exult in the charity of the penitent Touchstone. Dr. Johnson, in his prologue for the opening of Drury Lane Theatre, predicted that a day might come when on the stage which Garrick trod

"New Hunts might box, and Mahomet might dance ;"

and more than once or twice has the prophecy been fulfilled. So usual an appendage of church-festivals were fairs in all ages, that Rayer might fairly anticipate the precincts of his priory becoming a haunt of periodical revelry and misrule. Fairs, indeed, have in all ages seated themselves on the skirt of religious assemblies. They belonged to the great perennial games of Greece, as well as to the Christian church ; to the sacrifices of the Roman commons to Diana on the Aventine ; to the solemn meetings of the Etruscan Lucumos beside the Lake Velinus and in the groves of Ferentinum ; and to the annual assemblies of the Celtic races in the primeval forests of Aquitaine. Yet the faith and patience of Rayer would have been sorely tried could a tenth part of the reality which Mr. Morley's pages delineate have been brought before his gaze by his patron Bartholomew. Of this strange and grotesque panorama we shall now attempt



to exhibit a few compartments, preserving the order of time, and warning the reader that there are many more slides in the author's magic lantern than we have space to admit into our brief abstract of them.

Mr. Morley's topographical details might justify a pilgrimage to Smithfield and its purlieus. "Mummie," says Sir Thomas Browne, "is become merchandise: Mizraim cures wounds, and Pharaoh is sold for balsams." To like base uses are turned portions of Rayer's priory. Its great hall is broken up, divided into floors, and employed as a tobacco factory. In other sections of it pickle-barrels are stored up. The priory has either served for a stone-quarry to the neighbouring buildings, or been encroached upon by them as the trees of the forest encroach upon the primeval cities of Yucatan and Guatemala. Factory-walls intrude on the church-walls; the nave of the church is entirely gone; the cloisters, after serving for years as a stable, have fallen down; and a Protestant parish-church occupies ground which miracles once commanded men to reverence as the oratory of the Virgin.

Rayer himself, indeed, were he again to revisit the glimpses of the moon, would need Mr. Morley or his book to guide him through his own house and premises; and perhaps exclaim, "Are all my gibes and good works come to this?" It were not "to inquire too curiously," however, to ask whether, after all, the fair which accidentally grew out of the priory were not, on the whole, for mankind generally, the more useful institution. By the privileges accorded to it, the fair introduced a rude yet effective element of free-trade; by the numbers which it attracted annually, it poured wealth into London; and by the amusements which it provided for the people, it introduced the rudiments of the most vigorous branch of English literature, the Drama; while by the spectacles it afforded of rare animals and productions, it served to the ignorant as a kind of Pinnock's Catechism of geography and natural history. With our museums, botanical and zoological gardens, we can afford to dispense with Bartholomew and Greenwich fairs; with the Princess's and Sadler's Wells theatres to embody our historical drama, we need not the gross devices of their booths and theatrical wagons: but in ages when most men made their marks, and when even to read entitled a man to the benefit of his clergy, or clerkship, these rough and feeble instruments were "mighty masters" in creating, cherishing, and refining the tastes and intellect of the people.

Buyers and sellers have in all ages been irresistibly drawn towards the courts of the temple, and have always set up their booths under its protecting shadow. This propensity is an indi-

rect tribute to the blessings of peace, and silently conveys a lesson which the Cæsars of the earth have yet to learn. Mr. Morley has appropriately headed one of his chapters, "Literature and Commerce," and traced their intimate connection with much learning and ability. Literature was speedily enlisted in the service of a church which, beyond every other, has shown itself active and adroit in meeting half-way the needs and wishes of the people. What the printing-office is, the monastery was; and the thousands of monks who were employed as copyists of missals, legends, and homilies, represent the tens of thousands of composers who are now, from morn to dewy eve, employed in circulating knowledge among the masses. It could not escape the notice of men so worldly-wise as the well-organised priesthood of Rome, that of all the various kinds of literature none was so well calculated to amuse and instruct, or even to arouse passions that might be turned to account, as dramatic representation. Thespis again appeared with his cart at Bartholomew fair; and though the worship of the wine-god was no longer the proper service of stage-plays, yet the audience relished their spectacles and their ale as thoroughly as ever the Athenians enjoyed the gifts of Dionysus—the juice of the grape, the choral song, and the stately or side-shaking scenes that accompanied them. A wide arc, indeed, is needed to include between its extremes the dramatic performances at St. Bartholomew's feast. At the one terminus we have a drama entitled "Matter from the Creation of the World," enacted by clerks, that is to say, by deacons in holy orders; at the other we have the "Beggars' Opera," performed under the management of no less a person than Henry Fielding, Bow-street magistrate, and author of "Tom Jones" and "Joseph Andrews." Perhaps in 1559 the curious in old customs will learn with amazement that of the two greatest novelists of the preceding century, one embodied his own Samuel Weller and Mrs. Gamp, and the other extracted excellent mirth from the oddities of the house of Brunswick.

In the only verses which he is known to have written, Bishop Berkeley, at that time earnestly desiring to establish a college of philosophers beyond the Atlantic, said that "the tide of empire always westward flowed." Had he spoken of the tide of fashion, he would have been accounted a prophet even on better grounds than for thus foreseeing the great American Union. Westward for more than two centuries have rank and refinement been flowing in our metropolis. A lord-chancellor who should now choose to have his habitation in Smithfield would be deemed in want of a keeper of his person and a trustee of his property; and a chancellor of the exchequer who dwelt within the bars would be thought capable of bolting with the year's

taxes. Yet in those simple times, when monarchs swore, like Charles VII. of France, by the black in their nails, and for the sake of cleanliness commanded, as Henry Tudor did, his courtiers to crop their hair close, King Edward VI.'s lord-chancellor did eat, drink, sleep, and entertain the judges at the openings of term, in a house which he erected in the priory grounds; and Queen Elizabeth's chancellor of the exchequer, Sir Walter Mildmay, kept house hard by. In Charles II.'s reign Smithfield saw as much good company as Bath under the despotism of Beau Nash, or her Majesty's Theatre when Jenny Lind entranced and half suffocated the public. On the 30th of August in the year 1667, Samuel Pepys, who missed no diversions, and records with equal zest the Dutch war and the dancing dolls, found a crowd gathered around the puppet-show of patient Grisel, because the people expected "the coming out" of Lady Castlemaine! It would be too curious to inquire whether the subject of the show brought poor Catherine of Braganza to her ladyship's recollection. But graver persons than "prying Pepys" resorted to these fashionable entertainments. John Locke the philosopher elbowed his way with the rest of the world in the Smithfield crowd; and John Dryden was to be seen in it, with his immense snuff-box and his loose coat of Norwich druggut. Nor were their labours in vain, since Bartholomew fair, in those palmy days, comprised whatsoever was most entertaining and instructive in the metropolis. Dryden may have been a spectator of tragedies little inferior to his own, performed by the best actors of the time, and set on the stage with a pomp and circumstance which, to read of at least, seems to have vied with Mr. Kean's "scenery and decorations." Half the heroes and heroines of the Rosciad performed occasionally at Bartholomew fair. The "stars" of Drury Lane and the Haymarket thought it no degradation to turn eastward ho! and gorgeous tragedy was in no less demand than genteel comedy, opera, and farce. Seneca could not be too heavy, nor Plautus too light, for the spectators. Latterly, indeed, as the fair grew more *bourgeois*, some pains were taken to adapt the dramas to the audience: "they who live to please, must please to live." A dramatic performance entitled "the Siege of Troy" appears to have needed no slight modifications. The prologue informs us that Elkanah Settle—famous in Pope's numbers as the City laureate—adapted this play to "Mrs. Mynn's fashion" (Mrs. Mynn being manager), by leaving out four or five serious characters, cutting out all the serious dialogues, reducing five acts into three, and inserting "a sufficient quantity of right Bartholomew buffoonery." "Bless thee, Bottom, thou art translated." Yet, after all, Elkanah's "comical-tragical" piece may

not have been a greater offence against taste than a modern burlesque.

Next to the theatrical booths, the exhibition of monsters was the attractive feature of the fair. But on this subject *inopes nos copia fecit*; we are really overwhelmed by Mr. Morley's catalogue of hideous and ingenious prodigies. Lord Stowell lived some ages too late. He is reported to have exhausted the wonders of London fifty years ago so completely, that one day, offering his sixpence to the exhibitor of a mermaid, he was desired to walk in *gratis*, inasmuch as the fish-woman was only the old sea-serpent in a new dress, and *that* his lordship had often seen before. But neither Lord Stowell, nor Coryatt, nor Aristotle himself could have seen out the *monstra, informia, ingentia*, exhibited in Smithfield with each revolving August. In all Pliny's *Natural History* are no stranger beasts recorded on the authority of travellers' tales than Mr. Morley's list enumerates. Satyrs were comparatively common; even he whom the Latin authors called the "god Pan" might be seen. The "good people" did not escape scot-free. A living fairy was exhibited, supposed to be a hundred and sixty years old, having a face like a child a month old. "Hydras and amphisbœnas dire" stood in the place of the horrors in Dr. Kahn's museum. Among vertebrate animals, the most remarkable we have read of is "a mail child born with a bear growing out of his back;" and the ugliness of the Hottentot Venus, whom some of our readers may have had the privilege of seeing, can scarcely have been so striking as that of the "bold-grimace Spaniard," who "lived fifteen years among the wild creatures in the mountains, and is reasonably supposed to have been taken out of his cradle, an infant, by some savage beast, and wonderfully preserved, till some comedians accidentally passed through those parts, and perceiving him to be of the human race, pursued him to his cave, where they caught him in a net. He performs the following surprising grimaces, viz. he lolls out his tongue a foot long, turns his eyes in and out at the same time, contracts his face as small as an apple, extends his mouth six inches, and turns it into the shape of a bird's beak, and his eyes like to an owl's; turns his mouth into the form of a hat cocked up three ways, and also frames it in the manner of a four-square buckle; licks his nose with his tongue like a cow, and changes his face to such an astonishing degree as to appear like a corpse long buried."

We much regret that our limits compel us to do so little justice to Mr. Morley's instructive and interesting volume. It suggests in every one of its chapters themes on which, if the occasion permitted, we would gladly dilate. From it every order of readers may derive the food of profitable speculation: the economist may

learn much from it of the early phases of trade; the philosopher, of the simpler aspect of morals; the historian and the antiquary may borrow much pertinent illustration for their narratives and researches. The scenes enacted within the precincts of Smithfield would furnish a lively and pregnant commentary upon Spenser's stanzas on "Mutabilitie." They do not, indeed, present the august spectacle of empires in ruin, or the decline and decay of nations; yet they exhibit the scarcely less instructive spectacle of the progress and decline of popular customs and humours. Opening in an age of faith, the narrative terminates in an age of reason. At first the religious foundation of Rayer is predominant. The Priory of St. Bartholomew, with its hospital annexed, is a symbol of the time when men reasoned timidly and felt earnestly. Their amusements are coarse, yet often grave: the most solemn actions and passions of the past are represented beside "a dance of clowns and a show of jugglers," without any perception of irreverence or discrepancy. Religion spreads its broad shield over commerce and literature, over earnest and sport; and her presence is deemed "nor obvious nor intrusive." Symbols and pictures are in the place of printing and books: it is a hearing and a seeing, not a reading age. The ground on which the fair was held was often also a stage for more hideous tragedies than *Go by Jeronimo* or Marlowe's *Jew of Malta*. The seed of many churches was sown in the grounds of the Priory. The soil was red with much martyr-blood. Here were the Lollards burnt: here also were burnt those who denied Henry's supremacy, or refused to change with the changing creeds and articles of Edward's and Mary's bishops: here Anne Askew was released from pain, and Dutch Anabaptists roasted "with roaring and crying" in Elizabeth's reign. Within the same precincts Englishmen beheld for the last time execution by fire, in the latter half of the eighteenth century. By and by a change creeps over the era of belief: the power of the priest, the truth of miracles, the authority of the visible church, are called in question; the laity begins to think and act for itself, and the religious foundation disappears. Charity, however, does not fail; and the hospital and the almshouse remain. After a few years the supplanting church of Protestantism is assailed by enemies of its own household, and new Presbyter proves but old Priest writ large. An iron and unnatural bondage is forced upon men's souls, and the secular glories of St. Bartholomew fade like the spiritual. Then unreasonable rigour is succeeded by unreasoning license, and the great fair reflects and exaggerates the license of Whitehall under the second Charles. A more decorous generation follows, and the fair is no longer the haunt of the Dorsets and Sedleys, but of "rude mechanicals"

and rustics. Last scene of all is when even on these its attractions pall, and it sinks into the lean and slippered state of dotage, and is suppressed without even a murmur from its latest supporters. Here is a picture in little of the advance of civilisation. Music-halls, Cremorne Gardens, the Crystal Palace, and Mr. Spurgeon, have superseded St. Bartholomew. The compensations of time are not less instructive than its mutations; and Mr. Morley's work, studied in a reflective spirit, may prove as wholesome to the reader as narratives of greater pretension, pith, and moment.

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ART. VII.—D'AGUESSEAU AND FRENCH  
JURISPRUDENCE.

*Histoire de la Vie et des Ouvrages du Chancelier D'Aguesseau.* Par M. A. Boullée, ancien Magistrat. Paris.

*Lives of Lords Chief-Justice Mansfield and Chancellor Eldon.* By Lord Chief-Justice Campbell. London.

FOREIGN criticism upon nations and governments is generally based upon assumptions that are necessarily erroneous. In the first place, the country of the particular censor is adopted, either openly or unconsciously, as the measure, if not of absolute perfection, at least of comparative excellence. Then the special qualities distinctive of this type are supposed equally well adapted to the nation criticised; which is to say that all nations are potentially alike, whatever be their circumstances, history, or race, and that therefore, if they do not conform to the alleged model, it can only be through ignorance or perversity. Moreover the comparison is made in detached parts; and if this or that part be absent in due form, or even in name, the foreign polity is branded as inferior or defective, without regard to the possibility that there may be compensation or completion in some other of the parts, or in the order of the whole.

That these accumulated suppositions are all vicious, must be evident. The right of the assumed standard to such rank should first be proved, unless—what doubtless never happens—it be granted by all parties. But no writer of the present day is so foolish as to believe any government or jurisprudence consummate; our own common law is no longer held to be the perfection of reason, and the infallibility of the constitution is more than questioned. And as with the perfection, so with the



præminence, the assumption of which is in logic still absurder ; for a polity or system of law is not a simple or definite quantity ; it lies in a relation of particular fitness to the circumstances, physical and mental, of each people. This congruity is the reason of the excellence assumed. But the excellence would disappear on applying the institutions of one nation to the character and condition of any other, which, by the very strictures we pronounce, is shown to be in different circumstances. It therefore ceases to be available as a standard. Thus the critic's premises are self-destructive.

This would be true, even though the difference of circumstances were but accidental. But if it be quite normal and organic, the perversity of the second sub-assumption is the greater. No two peoples whatsoever are, or have been, quite alike. Of no two objects in all nature can strict similarity be affirmed ; and even in the same species the resemblance is less in proportion as the subjects are of a higher rank. There is a proverb on the likeness of "two drops of water;" yet view them through a microscope, and see the world of difference! Even in mere externals and to the naked eye, no two leaves of the same plant would be confounded with each other. What must, then, be the differences, physical and moral, between men even of the same nation! But between nations or races these differences become infinite. The principle or law of this progressive divergence is the influx of new causes as the subject is large and complex. To reason from the case of one people to that of another is therefore fallacious, even when it is extended to their politics as complete systems.

But it is vastly more so when the judgment is but piecemeal. Comparative anatomists assure us that the skeleton, throughout the animal series, is the same *as a whole* ; it is what Professor Owen would magnificently designate the general "homology" of the vertebrate skeleton. The differences we behold, then, must all reside in the parts and positions : and what establishes the fact is, that the differences vanish in proportion as the parts are viewed no longer as such, but referred to the whole or the type ; a conception to which naturalists give the name "analogy," or resemblance of ratio or function. These great laws of the animal system are still more true of the social, and to the full extent of the proportionate complication. Conceive what would be thought of one who should criticise the horse for having hoofs instead of fingers, fore-legs not wings or fins ; or who should consider that, of these specific parts, each was wholly wanting in the other kinds of creatures ; whereas they are all—fins, wings, fore-legs, arms—the same organ in the function of prehension applied to water, air, earth ! Yet this would hardly



be a greater absurdity than that of some current lucubrations upon past or actual governments.

Thus, to descend from politics, English writers vaunt, and justly with relation to ourselves, the institutions of trial by jury, grand and petty, and Habeas Corpus; and reprehend their absence in other systems as gross defects. They do not comprehend that foreign writers might more or less plausibly plead as follows: The jury, or popular judicature, is, in use as in origin, a supplement to laws as yet but rude or ill-defined; it rose in ages when the nation had no written legislation; it ranges still upon the border of jurisprudence proper, where the law remains confused in its commixture with the facts; and, above all, it was adapted to the genius of a people who care little for refinements, who mind the substance not the form, and are satisfied with public business only when they have themselves a hand in it. Now where these circumstances do not, all or any of them, exist, the jury could not, of course, be needful or useful; neither, consequently, could its absence be accounted in that case a defect even though there were no substitute, much less if there were. The last was the condition, for example, of the Scotch. They had derived through France from Rome a mature jurisprudence, abundant in provision and exact in procedure; and the genius of the people disposed them to place confidence in abstract institutions without personal embodiment. Thus the jury was in Scotland a superfection, introduced from no necessity in *civil* business. Accordingly it has proved of quite equivocal utility.\* Such has likewise been the result *à fortiori* in France. The Revolution, when essaying its 'prentice hand at legislation, took in wholesale from the English, among other things, both juries. It soon abandoned the grand inquest, which the Scotch had never imitated; and the petty is transformed, and used besides but scantily.†

\* So at least thinks Lord Campbell too: see Life of Lord Mansfield.

† In stating the argument of foreign writers, we do not wish to be understood as more than partially assenting to it. A jury is as necessary a part of the judicial institutions of a free country as a representative chamber is of its political institutions. In very many cases it is, as we expressly admit, more a matter of convenience, habit, and circumstance than English writers like to allow. In others, it is a fundamental principle and indispensable guarantee of freedom. A great French philosopher and publicist—Royer-Collard—has admirably explained the *rationale* of it. After stating that there are offences, often the most dangerous, which defy the prevision of legislators and exact definition in written laws, but which yet cannot be admitted to impunity, he proceeds: "The power of determining the limits of justice beyond the precise prescriptions of the law, and without any other guide than conscience, is arbitrary power. . . . But if this arbitrary power consolidates itself nowhere, if deposited for a moment in hands from which it escapes the instant after it has been confided to them, it never loses its mobility (*il ne s'immobilise jamais*); if it is society itself which is as

Again, the Habeas Corpus has been excellent in England; but it does not follow that it would be so elsewhere: the situation may be different, and there may be besides some substitute. Yet the great lights of English law have lamented French blindness, when it was not called servility, in lacking this palladium. They were doubtless unaware that we derived it from the French, who moreover had enjoyed it some four centuries before us; derived it of course in our own national fashion, as the French had themselves derived or fashioned it, no doubt, from the civil or Roman law *de custodia reorum*. As early as the Institutes (*Etablissemens*) of St. Louis it was enacted that no one should be detained in prison who offered proper bail, except in certain heinous cases. The observance of this law would of course obviate the Habeas Corpus, and in France there was an officer to secure its execution. In England there was neither the law nor the officer, until the Magna Charta introduced the former, but overlooked the sanction of the French officer, which gave it value. The concession in Magna Charta remained in consequence a dead letter. The legal relief from imprisonment for two centuries later was effected by the semi-annual circuit of *oyer and terminer*. This is attested by the uncouth name itself, and is still better illustrated by the *alias* of "gaol-delivery,"—that is, delivery of the gaol from the encumbrance of the prisoners, not the delivery of the prisoners from the injustice of the gaol. It was only after the Civil Wars and through the license of the last Stuart in the abuse of General Warrants, that the nation was driven to insist on the execution of the law, which it did characteristically by a process *ad hoc*. Such was the origin of Habeas Corpus at the noon of the seventeenth century, although most Englishmen imagine it as old as the constitution.

The French officer alluded to had also in charge the enforcement of the law *against* the prisoner as well as for him. In England this was left to the party aggrieved, or any private individual who might choose to interfere, and who in *principle* was thus at liberty to modify the law or annul it. But as this liberty, if allowed in practice, might have kept us in bar-

it were invested with it, it loses all its dangers, it can strike without being illegitimate. What will this representative of society be? It will be the jury." Again: "Citizens called for an instant to become judges escape, in virtue of their situation itself, from the pressure of foreign influences, and from that habit of condemning which renders condemnation too easy. The temporary magistracy with which they are invested penetrates them with that sovereign respect for the law which is the foundation of the public morality of free peoples." Yet further: "A nation which does not itself protect the life, honour, and security of each of its members, may have enlightened and virtuous magistrates, but it does not enjoy political liberty; it is under the sword." *Speeches on the Law for repressing Offences of the Press, in the Chamber of Deputies, Dec. 16, 1817.* We take the extracts from M. Vingtain's excellent *Vie publique de Royer-Collard*, pp. 73, 74.

barism, the principle was contravened by one or two expedients. The chief of these was the Grand Jury (established likewise by Magna Charta), who examine the complaint or information of individuals, but never can themselves initiate the prosecution, any more than can the attorney-general, who is in like manner an intermediary; so that, in fact, the private individual is still prosecutor, and the legal arbiter and sanction of our criminal law. As to the issue of the process in the name of the sovereign, it was in reality another expedient necessitated by a doubtful rule from the same source which disqualifies the testimony of parties to the action. To employ the prosecutor as a witness also, the sovereign was nominally made to take his place. Thus, with regard to the nature of the criminal law and to the admission of evidence, we have controlled the false principle of individualism, but only by setting up against it the double contradiction of the Grand Jury to check its *consequences*, and the fiction of a *public* prosecutor. We may add, that most of the fictions of our law have a similar origin; for seldom indeed is English law logically consequential.

The other of the two expedients referred to is the coroner. His function is distinguished by being particular in its object but permanent in its exercise, whereas the "grand" inquest is general and periodical. The latter is logically and historically posterior and supplemental to the "petty" inquest. The coroner, a primitive officer of the crown, as the name itself commemorates, is strictly the representative of the official part which the sovereigns of this country have ever taken in bringing crime to light; and the coroner takes notice of death only when violent or sudden, and even then not as a matter of course, but only when invited.

Now English lawyers, who are accustomed, and with reason, to view these related institutions as the glory of our jurisprudence, are perhaps too apt to deem their absence in foreign systems necessarily an imperfection or abuse. On the contrary, the logical imperfection at least may be alleged, with fairer reason, to be on our side. We have been forced, it may be urged, to erect painfully and progressively these serial breastworks against the inroads of the principle that crime concerns only individuals; whereas the Scotch and French, by starting from the principle that the state is the party aggrieved by all crime, were led to appoint a public officer to watch it, who is thus a substitute for the Habeas Corpus and all the three kinds of English juries. This officer is known to us in Scotland as the Lord Advocate: in France he was descriptively called the *Public Minister*, in distinction from the governmental minister of the monarch; and in his merely legal

function, the Procurator-General, a title well expressing the *public care* he had in charge.

By this preparatory train of reflections we are led to the ministry whose highest type is the main subject of this article; and led by a procedure which better shows its character than any mere description or recital of attributes, for it exhibits the original relations of the office, and illustrates it by contrast with its analogues in the English law. To apprise the English reader that the ministry in question involved not only all the familiar procedures referred to, but also other powers no less important, afterwards to be noted, is probably to give him the sole means of comprehending a magistracy illustrious throughout the course of French history; to explain to him how it produced, directly or indirectly, a score of such great jurists as the Godefroys, the Cujases, the Budés, the L'Hôpitals, the Pothiers, the Domats, the Desmoulins, the D'Aguesseaus. The contemplation of this illustrious line of aspirants to, or occupants of magisterial office, as eminent for accuracy as for amplitude of knowledge, no less elegant than erudite, as great in method\* as in law,—is not ill calculated to inspire us with some envy or regret. With magistrates of this stamp to execute and to improve it, English law, it may be thought, would now be in a different state. At all events, it might be more symmetrical, more systematic and complete, if less suited to the exigencies of our community. The jury is the natural expression of a society profoundly conservative of individual rights and personal freedom; its three forms represent accordingly, in the judicial order, our King, Lords, and Commons respectively in the political. With the French, who view society as an organic unity, the guardianship of justice must by the like logic have been given to a single and a permanent magistrate, who represents the sovereign or rather the state; for the sovereign himself was but the symbol of the state, which is in part the meaning of the *mot* of the *Grand Monarque*. In fine, of these quite opposite conceptions of jurisprudence, the French was that of order viewed too much as an end in and for itself, and tending to despotism; the English, that of liberty, guaranteed by, but not sacrificed to, order. Our readers will be doubtless at no loss to decide between them. We shall therefore only add, that the English principle has upon its side entire antiquity, barbarian as well as classic, and also mediæval Europe and all the actual German states; while the magistracy proper is peculiar to the French, and, in a modified sense, to the Scotch.

\* This is manifested even in the titles of their chief works. That of Domat is, "Des Loix civiles dans leur ordre naturel;" that of Godefroy, "De Ratione Ordinis in Pandectis;" that of Cujas, "De Ortu et Progressu Juris Civilis,"—the true fountain of the school of jurisprudence called historical.

This public minister, or procurator-general of French law, enjoyed a power in fact discretionary, if it was not despotic. At the period of the formal institution of the ministry in 1302, when the parliament, which was its pedestal, was fixed at Paris, the extent of its functions may be gathered from the oath of office. This obliged its occupant "to see justice done alike to great and humble, to foreigners and citizens, without distinction of rank or nation; to guard also the king's rights, but without prejudice to those of others; to guard the observance of local customs and usages; not to suffer within the jurisdiction of the officer people without religion, disturbers of the peace, usurers, or persons of scandalous and wicked life." Budé, who was himself for a time a magistrate, as well as a great commentator and restorer of the Greek language, describes the office some two and a half centuries later "as the depository of all the interests of the prince and the public, the asylum of the laws, the bulwark of justice and injured innocence,"—" *Magistratus hic est in quem OMNES suas actiones, PRINCIPES, POPULUS, UNIVERSI transcripserunt; asylum legum, arx justitiæ, innocentie vim passæ ab judicio circumventæ propugnaculum, intercessor rerum malarum, suasor rerum bonarum, præsentis semper animi actor et defensor, de sententia juris et æquitatis.*" With this enormous sphere of action, judicial and even social, we easily conceive the high dignity of the office. We can also comprehend how worse than puerile it is to draw conclusions from a scheme of jurisprudence where this office is wholly absent, to a scheme of which it is the very essence. What seems difficult to understand is, how this autocratic magistracy should, for the five centuries during the course of which its history is known with the utmost completeness, have offered no corruption or official malversation.

The philosophy of this French integrity is soundly accounted for by the biographer of D'Aguesseau before us. "It is the privilege," says he, "of institutions which have the *social or common interest for their principle and motive* to exercise upon the men who attach themselves to them an active and a salutary influence; and nothing is so proper to elevate the soul and to multiply the springs of talent as *the constant search after the good and the true.*" This is equally profound and just. Indeed these words suggest a source of government as yet but little understood. The principle they involve bubbled up sentimentally in the "chivalry" of Burke's eulogy, and will in other times attain a scientific development. But in our days every effort is made to bind this principle as in a frost; to limit statesmanship alike in its power for good and evil; to reverse the liberality of even criminal law, and presume public men all scoundrels until they prove the contrary; to degrade virtue to obligation, and reason to routine.

Than such a course there is nothing, on the contrary, more calculated to provoke the conduct which it strives to prevent. There is a French adage which says that men are estimated at whatever price they choose to set upon themselves. There is truth enough in this to give an edge to the satire; but there is more truth in the reverse,—that men are really estimable in proportion to the worth which is conceded them by the public: and it is this large magnanimous confidence of a great nation that inspired the French magistracy, sons of a tame *bourgeoisie*, to brave not merely sordid gold, but the kings of France and the popes of Rome. It is the spirit of distrust and suspicion in English politics, on the other hand, which, if it sometimes preserve our liberties, tends to lower permanently the character of the men who rule us. In France this grand social supervisorship was based, we said, upon the parliament, a brief sketch of which will therefore be relevant to the subject; and all the more so, that the import of this institution seems to us ill understood, not only here, but by the French themselves.

The parliament of Paris was, as every one knows, but one of sundry local institutions of the same name. It gradually absorbed the public influence of the others by being situated in the capital, or centralised, like all things French. They did not originate, as is sometimes supposed, in the great Frankish gatherings remembered by the name of the Champs de Mars and Mai. These were popular assemblages analogous to our Commons, whose members were deputed by the people, not the monarch; only that while military things were there the rule, they are luckily in the Commons sunk to very rare exceptions. Of these Champs the lineal successors in France were the States-General. The members of the French parliament, on the other hand, were named by the king, were Councillors of State, and composed at first of nobles. Later, ecclesiastics of distinction were admitted, when the need of some infusion of intellect or knowledge came to be felt. The body passed in this way from a council to a supreme court of justice, receiving appeals from the baronial tribunals. Thus far the jurisprudence was a medley, like the court, composed of Frankish usages put into shape by the canon law. This was the character of even the constitution of Charlemagne. The recovery of the Pandects introduced a new era; the application of this *juridical* treasure became a sort of rage; the clergy of the parliament felt in their turn the need of the sort of aid which they themselves had brought the barons; the *bourgeoisie* of the upper grade seized the occasion, became profound jurists or eloquent advocates, entered in this humble guise the high court of parliament, but ended with ousting the *sword* and *cross* by the *robe*. The body,



thus transformed by a natural development into a regular tribunal of supreme and civil justice, had moreover retained a relic of its old political origin in the shape of a right of registering the edicts of the monarch. This was formally a sanction and virtually a veto; liable, however, to be superseded by that strange prerogative the *lit de justice*.

The constitution of this body in the days of D'Aguesseau may be summarily stated as follows. It was divided into several "chambers" or departments with special resorts, and a grand chamber which consisted of a single president and nine assessors, styled presidents *à mortier*; also twenty lay councillors and twelve clerical. The princes of the blood, the dukes and peers, the chancellor and the archbishop of Paris, retained seats; but they seldom attended save on business relating to their own order—on occasion of the trial of a noble, or an intrigue against the "Gallicans." The under departments were composed of a court of inquests, or appeals in civil business; a court of criminal appeals, named *Le Tournel*, from the order of rotation in the service of the judges; and of two chambers of requests. The union of all the chambers—a sort of committee of the whole house—gave the parliament its deliberative and political capacity. Agreeably to the complete transformation of its primal character through the spontaneous process of development described, the mode of convention was conveniently indefinite. The session was permanent, with a vacation of a month a year.

It is obvious, then, how wholly opposite in character and constitution, as well as in origin, were the parliament of Paris and its English namesake. The reason of the difference is not so generally understood, and is remarkable, considering the common race of the Franks and English. The native writers for the most part distinguish the French parliament as being the special organ and expression of the *bourgeoisie*. And so far they are certainly right; this body, to the number of some forty thousand families, had usually a full monopoly of its offices or other interests. But this statement is incomplete; for the *bourgeoisie* correspond to what we call our "middle class," who assuredly took an important part in giving form to the House of Commons; so that the contrast in the result is not due to this common feature. Augustin Thierry has decidedly advanced, though not finally attained, the definitive solution, when he merges both the parliament and the *bourgeoisie* in the *tiers-état*. But as the *tiers-état* would, as it is commonly conceived, correspond to our middle and lower classes combined, the objection might appear to remain undisturbed. It is, however, to be remembered, that France alone has had what is properly the *tiers-état*. This is at least the opinion of M. Guizot, who denies this social class



to all antiquity and modern Europe, as well as expressly to England itself. Modern states have possessed *commons*, but not a *tiers-état*. "*Il y a eu des communes dans toute l'Europe; il n'y a eu vraiment de tiers-état qu'en France.*"\* But though the position in this form must have appeared a paradox, this writer does not furnish any explanation either of the special nature or the cause of the phenomenon. He lucubrates at large, indeed, in proof of the fact, but without touching the philosophy or the definition of the third order. He insists, against the presumption, that the *tiers-état* is to be found only in France, without fixing what he means by it. Yet there is an explanation, and one which offers the best of guarantees for its truth. It resolves all the special institutions themselves—*bourgeoisie*, *tiers-état*, parliament, public prosecutor—into particular aspects or results of the same fundamental hypothesis.

This is, that the *tiers-état*, or "third estate," is no other than the Gallic race. The two successive conquests of the nation by different foreigners were the foundation of the complementary estates. The clergy represented the Roman dominion by the language, the canon law, and the municipal institutions; the *noblesse* were the Franks, with their feudal institutions, which consisted in little else than the negation of the Roman. The earlier of these elements attained its climax in Charlemagne, who became a Roman emperor not only in title but in despotic power. The dissolution of his empire and the decay of his dynasty gave the ascendancy to the feudal and Frankish element. Favoured by the long contests, and the exhaustion thence resulting both to the Frankish individualism and the Roman despotism, the oppressed masses of the nation next began to lift their heads successively in the *communes*, the parliaments, the Gallican church, until they shook off both their oppressors in the convulsion of the Revolution. *Qu'est-ce que le tiers-état?* was on that occasion the title of a memorable pamphlet of Abbé Sièyes. He answered: "The whole, the real nation;" but to have been correct, he should have said the Gallic race, for this it was that distinguished it from class revolutions. The idea was substantially conceived by M. Thierry in combining in the *tiers-état* the *prolétaires* with the *bourgeoisie*.† The

\* Hist. de la Civilisation en France, tom. iv.

† In fact, the separation of these elements is subsequent, and merely factitious, embodying nothing of the ethnological distinction which lies at the foundation of the distinction between the three estates. Witness the experience of those sagacious statesmen who would make the subdivision of *bourgeoisie* and *prolétaires*, and so forth, the basis of a new dynasty. They totally misapprehend the genius of their people. The French race will never suffer a class rule among themselves, a power sustained by wealth or birth, or any other test than merit. The best assurance of this is, that they never yet have done so. Throughout the whole history of the race, in France as elsewhere, this resolute hatred of class

Gallic race in its integrity was, then, the *tiers-état*; and its organs were for centuries the magistracy and the parliament, who led it forth from both the Roman and feudal thraldoms and traditions.

This was really a situation quite peculiar to France. There were, for instance, in Turkey, only the conquered and the conquerors; the latter being of both the same religion and race. In Spain, the Goths were early expelled or absorbed; the Saracens were conquerors of part of the country, but never up to their expulsion had exercised any direct influence upon the Spanish people by government or religion; the aristocracy was native, and the Roman element coalesced with it, whence the specially deep root which it has struck in this people. Still more broad was the disparity in Germany and England, where the religion and aristocracy, or ruling class, are both native. Accordingly there were here but two divisions, or estates: the Nobles, including the king and the higher clergy; and the Commons, comprising all the rest of the nation. And so trenchant was the duality, that even of the highest nobles the younger sons were held by law to fall forthwith into the Commons. Upon this antagonism accordingly have centred the main facts of our political history; each of the parties endeavouring to wrest as much and to yield as little as possible, but neither of them thinking, or perhaps indeed caring, to subdue the other into closer community. The proof is, that when the Stuarts attempted this compression, both the parties substantially combined to expel them. It is this social dualism that has shaped the English parliament into two distinct houses, of Nobles and of Commons. So with even the judiciary, the division into King's Bench and Common Pleas; the Exchequer at first being not a court but a counting-house, the main matter of concern with the early Norman monarchs. Hence a fallacy, whereinto Mr. Hallam, with others, falls. From the absence of all general legislation by these sovereigns, or indeed any legislation but what related to wresting money, he naïvely concludes\* that their power must have been limited, and thus our constitution already far advanced! Alas, this is not the only instance of *ex-post-facto* ingenuity in clothing the nakedness of the past with the rights of the present. In fine, then, even in England there could have been no *tiers-état*; and its two estates, moreover, were but social divisions, founded rather upon property and rank than upon race. The French alone had three parties representing adverse races; and the effort of the undermost, the

rule has been the cause of their interminable quarrelling, their factious divisions, their bloody usurpations, and, as a consequence, their falling under foreign subjection; for they would sooner bear the tyranny of the lowest foreign race than, in their own, a mere precedence of which they could not recognise the title.

\* Const. Hist. Eng. vol. i. p. 1.

great national party, was unfortunately not to reconcile its rights and interests with those of the others, but by managing its casting vote to get to be the highest,—the whole.

Such accordingly is the constant policy of the magistracy and the parliament; a policy of trimming or timidity that still remains, but a policy of perseverance, of sequence and synthesis. Considered in the light of this threefold play of parties, French history is of all the most instructive and symmetrical. But from the explanation we deduce but one conclusion. It has been said of the old *régime*, that it was a despotism mitigated by *bons mots*. There would be much more truth, though less of epigram, in noting that the real mitigation had been due to *bons magistrats*.

The most illustrious of these was Henri-François d'Aguesseau. He was born into circumstances specially auspicious,—of a *famille de robe*, as the magisterial class were denominated, as distinguished from the churchmen and the swordsmen; and what was better, of a father distinguished in that class for his elegant learning, and public and private virtues. He was also Intendant of Languedoc. From this position, which was a species of provincial governorship, and from the honourable antecedents of the family for generations, he possessed influence that entitled him to hope highly for his son. He applied himself accordingly to prepare his son for this destiny almost from birth. His education was conducted at home, and by himself; diversified, however, by keeping round the pupil some young men of learning, more for intercourse than instruction. So strictly were these rules adhered to by the father, that, as he was obliged to be much from home and moving about in the inspection of his province, he had a travelling-carriage shaped and furnished like a cabinet, in which he took along with him his son and his companions. The order of instruction commenced with language, chiefly, of course, the classical; then proceeded to mathematics; and passed finally to philosophy. This last, however, was confined to Cartesianism, which was at that time as much in vogue in France as the Baconian philosophy still is in England. Moreover Cartesianism was itself limited by the scrupulous jealousy of religion; the father having been, as the son too proved himself, a rigorous though liberal Catholic.

D'Aguesseau was therefore a nearly complete sample of the results of private education. Yet he manifested none of the bad results usually imputed to it. Though entering on public duties at the age of twenty-one, he displayed all the requisite energy and self-possession. The only trace of his seclusion was a systematic strictness, which imparted to his writings and his conduct a tinge of pedantry. This methodical rigour, to be sure, adds

no prestige to his genius; for genius is generally supposed to be allied to irregularity. Shakespeare to most people would not seem half so great had he written with the taste and regularity of Racine. But Shakespeare's uncouthness was not therefore his genius, as Hume seems to imply: and the proof is, that had the Frenchman composed with the same recklessness, his name would very certainly have never reached posterity. So was it also with the refined scrupulosity of D'Aguesseau. This punctiliousness can prejudice but genius of the highest order, to which all education is a secondary aid, and which needs but to be offered the materials for its own development. With lower intellects, on the contrary, instruction is essential. Its results, though excessive, are not therefore in this case faults; for they tend to supplement natural defects, whereas in first-class genius they seem like limitations. But D'Aguesseau having by no means an intellect of that stamp, its extremely methodical character was a gain on the whole, and could in him furnish no objection to the home system of education. We say *in him*; for the question rather concerns persons than systems.

However, to attain his final degree D'Aguesseau had to leave the tuition of his father. The examination included jurisprudence in the largest sense, comprising the canon, the feudal, and the civil laws, which were all in force in France;—a consequence of the coexistence of the three races;—and also the law of nations, which was their philosophic complement. All these he had mastered at the age of one-and-twenty.

He forthwith obtained the office of king's advocate, answering nearly to that of the English attorney-general, and in a few months was farther promoted to the place of advocate-general, the threshold of the magistracy. Here his eloquence sprang forth at once in full maturity, as might have been expected from his hothouse education. The best description of it is conveyed by the term "judicial," as opposed to the coördinate classes given by rhetorical writers, the demonstrative and the deliberative forms. It is dignified in tone, sober in imagery, argumentative even in its ornament, fastidious in taste. His fastidiousness he carried to excess, as we have intimated. Such was his ideal of the magisterial function, and his reverence for the very tribunal of justice, that in the case of a comedian who was party to a suit, he declined uttering the by-name by which he was known publicly. He even apologised for mentioning by name the Jesuit Sanchez, whose writings upon matrimony had become obnoxious. On another occasion, to avoid the word *usury*, he employs the periphrasis of "giving to a sterile metal a fecundity contrary to nature." This reminds one of Shylock's "I make it breed, as well." Such pedantry is in keeping with that trifling

of the times, which Molière has delivered to the laughter of posterity.

It was in the ten years during which D'Aguesseau held this office that he produced the most strictly juridical of his writings. For his arguments (*playdoyères*) were always written; though rather, it is said, for the sake of fixing the ideas methodically in his mind than for the sake of committing them to memory. The subjects are mostly of great importance and curious interest, and merit all the learning and the logic bestowed upon them. In these aspects, we would recommend to all ambitious law-students to compare them with the chaos and the commonplace of our Reports, as well the "opinions" from the bench as the "arguments" from the bar. One of the cases is of a nature so tragical, it contains a story so eventful and an issue so mysterious, that we offer a brief abstract of it to the general reader. The trial is still a by-word at the French bar, both on this account and also for its long duration. It lasted four years, which was a prodigy in France, where there was a Public Minister, and where there was *not* a Court of Chancery.

A gentleman of Narbonne, named De la Pavardière, after being absent for some months, returned to his residence the 15th August 1697. His arrival took place in the evening, after sunset. When looked for next morning, he could not be found. Sinister rumours arose among the neighbours, to the effect that he must have been murdered by his wife, assisted by a person who was known to be her paramour, the prior of the monastery of Mezeray. The king's attorney of the district lodged information, without waiting, as with us, for an approver or grand jury. Investigation, or, according to the technical phrase, the *instruction*, commenced. All seemed confirmatory of the first suspicions,—the testimony of witnesses, the disappearance of the wife, the blood-stains on the floor and the walls of the husband's chamber. There were two female servants: being arrested, they confessed, after some hesitation, that the murder was committed, giving horrible details, and was committed by the hands of the wife and her monastic lover. One of them falling ill, repeated this to her confessor. The prior was arrested, and on the recovery of the sick servant, was confronted with both of them. The latter disavowed all in his presence, and charged the crown attorney with menacing and captious treatment. But no sooner did the holy man turn his back than they repeated the *old* testimony, retracted their retraction, asked for a second confrontation, and now maintained it to his face.

While the murder thus appeared to have been placed beyond doubt, the murdered man gave signs no less decisive of his existence. Witnesses swore to seeing him; well-known parties

received letters from him; affidavits were made by him in person before notaries. The lady also reappeared, and applied for an inquiry into the calumny that had accused her of the murder of her husband. This application being referred to the proper officer, the husband De la Pavardière actually presented himself. On being examined, he gave a full account of both his identity and the incidents of his life, and explained the motives of his absence. The accused triumphed thus far, and insisted on confrontation with the servants still in prison. But these declared they did not recognise their alleged master, and the floodgate of doubt was thrown open anew. The district attorney proposed that the man be arrested and detained, whosoever he might be; but the higher officer refused, and the mystic personage disappeared. In the mean time the accused, that is the wife and her lover, entered an appeal from the whole proceedings; and the attorney also appealed from his superior. So that the public lawyers were brought as parties into the *mêlée*.

While these pleadings were proceeding, the feigned or real husband made himself again heard of from the obscurity of his hiding-place. He offered to return, on getting a safe-conduct to protect him from arrest on a charge of *bigamy lodged against him*. Without minding this advance, the court accorded a new trial, and also reversed the decree of its public prosecutor, arresting him for the arrest which he had inhibited. This decision become known, De la Pavardière reappeared, and gave himself up to the authorities. Thereupon the king ordered the whole affair to be brought before the parliament of Paris. Here it was that it came into the hands of D'Aguesseau, as advocate-general of that body. And never perhaps elsewhere in a legal argument have so much method and lucidity encountered such a labyrinth of subtlety and complication. The conclusion of the conscientious advocate is the most curious. We shall cite it as a sample of his manner, after adding that the issue of the trial was as follows: condemnation of Margaret Mortier, the survivor of the two servants, to the utmost penalty of false testimony; and acquittal of the wife, the husband, and the lover.

Premising that the case as reviewed by the parliament turned upon the point of the identity of Pavardière, we add one extract from the peroration:

"There would be no certainty in the decisions of courts of justice if doubt were to be carried any farther in this matter. For in short, gentlemen, all the grounds of doubt just proposed to you would equally apply to all manner of judicial proof. Where is the indictment in which we may not fear the fraud or the mistake of the parties, the ignorance or guile of the lawyers, the faithlessness or corruption of the witnesses? Thus all these reflections appear to beget doubts, which

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must be regarded as a common condition, and cannot be applied to a particular case because they are incident alike to all cases. What remains, then, but to deal with human business humanly; to remember that the matter of all such judgments belongs to jurisprudence, in which things are judged of, not according to what they are in themselves, but according to what they appear to be externally; to humble ourselves at the spectacle of the nothingness of knowledge, and, if we may dare say so, of human justice, which in questions of fact is forced to pronounce, not upon the eternal truth of things, but upon their shadows, their semblances, and their appearances? Thus, after having taken all the precautions which the prudence of man could have provided in this matter, let us remember that there is a time for decision, as there is a time for doubt; and that, after having doubted for an entire year, there would perhaps be henceforth as much evil in suspending as there had been in precipitating our decision at an earlier stage. If we are wrong, as we still may be, we are wrong by received rule (*dans les règles*); and we must leave to the Divine judgment the punishment of a crime which it has pleased it to veil in such a manner that it almost seems impossible."

After ten years' service, D'Aguesseau was again promoted, and to the procurator-generalship of the parliament. This was the office of the magistrate proper, and the highest in the state with the exception of the chancellor. Hitherto he had been but consultative and executive; as procurator, he became initiative and administrative. He inspected not only the fiscal administration, but also the management of all the hospitals and other foundations of charity throughout the kingdom; but his special care was the administration of justice, with the conduct and discipline of both the bench and the bar. The larger portion of his works is accordingly composed of three coördinated kinds of composition, named *Enquêtes*, *Requêtes*, and *Mercurials*. The first has its least remote English analogue in the incriminative attributes of the grand jury and the justice of peace. Both prepare information and proof of crime. But while the French officer "takes" it and prosecutes, the English can but receive and "present." The former is an active and public authority, the latter are passive and essentially private; for the spirit or theory of the grand jury is no other than a local deputation of the citizens, admitted to complain, with more authority and order, of the conduct of some among them for whom they once had been responsible. Accordingly they can pursue the complaint no further. They received it from individuals, they transmit to the king's attorney; and thus there are three independent agencies employed in turn: whereas the French officer takes it up himself, prosecutes it through the courts, and pursues it to execution. Both procedures have their opposite advantages or disadvantages according to the standard received



in the two countries; the French being the more favourable to the public and the law, the English leaning to the side of the accused and of liberty.

The *requête*, or requisition, in some of its varieties corresponds to the still more vague English term "motions,"—more especially motions in arrest of judgment or for a new trial; also to quash a judgment or conviction by default; or, in France, in civil cases, to compel courts of last resort to review their own judgments and rectify their errors. *Requêtes* were likewise presented to the king through his council. But the great difference from English practice is, that whereas the "motions" are oral, and still ruder than speeches on the merits, the *requêtes* were always written and elaborate arguments. Few people would imagine the influence of this contrast upon the legal learning and literature of the two countries. As to the *mercurials*, which were discourses pronounced on the reopening of the courts at the end of vacations, and addressed to the bench as well as bar upon the duties before them, there is absolutely nothing of the kind in English usage. Those of D'Aguesseau are deemed models in their kind, and even the masterpieces of his own writings.

It was also in this office that D'Aguesseau had his first contests with the Ultramontane faction for the Gallican church. The most famous of the occasions was a revival of the dispute between the Jansenists and Jesuits, or more strictly the Molinists, when the church led the dotage of Louis XIV., through his Jesuit confessor, to side with the latter. The parliament, with its habitual tactic as now explained, took the part of the weaker, the Jansenists. The people followed the parliament from the same instinct of nationality, and also from a love of theological disputation; for this appears to be, in the Celtic race, what fanaticism or *prophetism* is elsewhere.\*

On the occasion in question, D'Aguesseau, as usual, led the parliament in favour of the Jansenists against the king. Or he would more correctly have been said to *head* than lead it; for the policy of that body was simply one of inertia. Its means of action was persistent inaction. It refused to register, though ordered by the king, the papal bull or brief against the eternal "five propositions." Not on the merits of the censure, of which

\* As witness, too, the Irish. The substitute for this in the Teutonic is theological sectarianism. The pettiest people of the latter race has produced more religious sects than all the nations of Celtic origin taken together. The latter do but elaborate new *arguments* for old doctrines; the others sap the old doctrines by new *interpretations*. Religion with the Teuton is a dictate of conscience; with the Celt it is very much a dogma of controversy. Thus the French people, from the days of the Scholastics to those of the Jansenists, were always eager for such disputes; and in the Spaniards the same yearning could be suppressed but by the Inquisition, and hence perhaps its terrors in that country.

it had not a word to say; nor in support of the Jansenists, with regard to whom it was alike silent. Their plea was, that to give sanction to this papal dictation would both infringe the king's own political prerogatives and compromise the liberties of the Gallican church. These famous "liberties" D'Aguesseau defined on the occasion to be "the right of following the common law of Christianity; of being ruled by the canons of the church, not by the will of the popes; of receiving from them nothing opposed to the *national* manners, and even acknowledging no other than the national usages in matters of religious police and discipline." The *Grand Monarque* persisted, threatened a *lit de justice*, and sent for the president of the parliament, the noble Harlay. "We ought," he remonstrated, "to treat the popes with all regards." "Yes, sire," replied the sturdy magistrate, "we ought to kiss their feet, but to tie their hands." The *mot* condensed the spirit of the life-long policy of the French parliament; a policy dissembling to superficial eyes by an air of servility its real importance in French history. The body would, however, have had to yield in this, as it did in other contests, for the time, had not death come opportunely to relieve them of the sovereign.

They followed up the triumph by quashing the testament procured from the dying monarch by the Jesuits to the same effect, and which admitted to the throne and regency his legitimated children, who were to be obedient to the dictates of the church. These the parliament set aside for the Duke of Orleans, who promised to be equally attentive to *their* wishes, and adopted their leader D'Aguesseau as his counsellor. Nor need this mutual confidence throw any stain on our virtuous magistrate. That gifted prince was not at first the *fanfaron des crimes* that his uncle used to call him with profound sagacity. Indeed, it is the hypocrite, and not the *fanfaron*, that is, from first to last, the true criminal at the core.

To this period also of the life of D'Aguesseau belong some non-professional and interesting writings. They consist of four "Letters of Instruction" (*instruction*), addressed to his sons, now advancing towards maturity, on the functions and the duties of the lawyer and the magistrate. They are models for the higher ranges of political education, though scarcely parliamentary as now conceived. They also contain a succinct treatise on jurisprudence, of which the main division appears striking for the date. The first part is devoted to private or civil law; the second, to public or political law; the third and last, which is but outlined, would embrace the law of nations, or, as the author rectifies the phrase, the "law *between* nations." This, in fact, would be correct had he intended a sneer; which, however, was

habitually impossible to his austere gravity. The law in question is as yet a mere compact "between" nations; the law of nations lies above them, and remains for future science. This educational group of tracts has its fitting crown in a composition which was at once a teaching and a tribute. It is "On the life and death, the character and manners, of my father," which he in his turn offers as a model to his own children. This father had just died at the age of eighty-one, and had continued to the last a stay and counsellor to the son in the concerns of his public duties as well as of his private fortunes. For wisdom, acquirements, simplicity, and virtue, he was, in fact, a parent fully worthy of such a son, and a character like those which fancy paints as proper to ancient Rome.

D'Aguesseau, who was now in his forty-eighth year, was advanced by the regent to the supreme place of chancellor. Upon such an elevation tribulation followed naturally. The chancellor was the link between the sovereign and the parliament, and thus a sort of buffer used to deaden their collisions. One of the most violent of these continual encounters soon demanded this uncomfortable use of D'Aguesseau.

Hitherto his chief difficulties were with theologians. The parliament would seem to have given its attention to scarcely any other political concern. This curious fact is in strict harmony with the explanation we gave above as to the hold which the religious and Roman element maintained on the minds of the Gallic race. This more fundamental of the two foreign strata had moreover received a fresh stimulus in the late reign, through the agency of the mistresses and confessors of Louis XIV.; above all, the vigorous hand and Gallic sympathies of Richelieu had strangled its natural rival, the Germanic aristocracy. Relieved of the Huguenots, the Ultramontanists had fallen, at the period in question, with all their strength upon the ambiguous position of the Gallicans. Hence the singular preoccupation of the parliament with theology; and this in cavillings so puerile as would imply imbecility, had we no knowledge of the tide of meaning that swelled beneath. But the contest was now varied by a rally of the *noblesse*, who, with the instinct of their race for more substantial interests, expected to retrieve their fallen order by means of money. The invasion of the national industry now devised is to be found in the history of the "Mississippi bubble."

The details of this mania are familiar to British readers. What it concerns us to note on the present occasion is, that the scheme was opposed from the first by D'Aguesseau. The chancellor continued, as before, to lead the parliament; and this body refused to register the edicts of the sovereign, who was in his

minority, for the extension to Louisiana of the operations of the Scotch adventurer. But the regent was determined to push the project through—determined by the pressure of his own licentious wants, and the still more greedy, if not needy, urgency of the nobles. And why may we not allow that both parties were also actuated by an honest confidence in good to the country generally, since hope might well have been infused into more experienced financiers by the prodigious success of the first trial-scheme of Law? However, D'Aguesseau, being considered as the chief obstacle, was removed from office, and exiled to his country-seat. This, however, did but confirm the parliament in their resistance, by adding personal or corporate to patriotic motives. D'Argenson, who, as lieutenant of police, knew their foibles, and who, like many energetic men, had slight scruples, received the seals, in the hope that he would bring those *bourgeois* to order. All his audacity and browbeating, however, fell impotent on their inertia; and they were banished *en masse*, for the first time in history, in the train of their chief, but to a more remote locality. There the exiles amused themselves with truly French gaiety. D'Aguesseau, on his part, employed his forced leisure in writing on the subject in which he could not act, and produced a short treatise on political economy. In fine, the regent, Law, and Co. had Paris to themselves, to prosecute their golden speculations without opposition.

When the lapse of two or three years brought the frenzy to a crisis, and the speculators saw the rising fury of a plundered people, the best expedient they could think of was the recall of D'Aguesseau. It was proposed by Law, who also went with the messenger, and offered to the chancellor a hundred thousand livres to indemnify his loss in the general depreciation. The money was declined, but the recall was accepted; and the exile returned in their company to Paris. For this he has been censured by his too fastidious countrymen. He should not, said they, have returned in the company or at the call of the foreign adventurer who was the cause of his disgrace; he thus appeared to be his passive tool. This censure is neither fair in judgment nor correct in fact. In the first place, the adventurer was only an adjunct, a volunteered adjunct, to the official messenger. Then, his presence in that capacity was rather a compliment, a tribute paid by vice (if we must call it so) to virtue: D'Aguesseau, in returning, was not the tool of Law; it is Law who, on the contrary, was the trophy of D'Aguesseau. But besides, what had these miserable personal punctilios to do with a man of his virtue and patriotism, in comparison, at least, with the service of his country at a moment when he saw her on the brink of ruin? He returned, and set to work with his old zeal. But the

time was too late, the patient too far gone; and Law withdrew some time after in secret from the country.

This money interlude over, theology returned in the shape of the everlasting bull "*Unigenitus*." The infamous Dubois, raised from pander to the regent to the see of the noble Fenelon and a cardinal's hat, brought his wily influence to bear upon the government; and the government were now able to obtain the assent of the recalled chancellor. D'Aguesseau has been blamed for this also, we think unreasonably. He opposed the registration when demanded by Louis XIV., and when the bigotry of a doting despot would have made the triumph dangerous. Now the government were on the other side, or at least neutral, and so there was less peril to the "Gallican" or other liberties. It is from inattention to this change in the conditions that D'Aguesseau has been charged with deserting his principles; a charge so frequently made by men who can perceive in party politics but the shibboleth of the sect, and not the substantial requisites of the situation.

The parliament, still in exile, would, it was not doubted, follow him, especially when this was the occasion of recalling them. But, on the contrary, they now resisted only the more obstinately in consequence of his change, as they did formerly for his exile. Resort was then had to an adjunct of the body, the remnant of its Frankish origin, which was named the Grand Council; but even this was now so Gallican as to reject the measure. The regent, however, was not to be put down. Three days after he went in person, led officially by D'Aguesseau and flanked by all the feudal magnates of the court, who had retained their original votes in this assembly. The proposition was supported by the chancellor in a discourse. The regent then proclaimed that the suffrages were free, by way of furnishing a cover for retreat to *bourgeois* vanity. But only one voted for the registration purely; two or three with a remonstrance; all assented to doing it by *express order* of the royal minor. Some even dared to speak against it. One of these, named Perelle, was so provoking as to induce the chancellor to interrupt and ask him where he found such principles. "I found them," he said, "in the writings of the late chancellor, D'Aguesseau."

The government, however, felt that this sanction of the Grand Council, extorted as it was in fact and irregular in law, would of course be disregarded by the parliament. It was therefore proposed to abolish this body. D'Aguesseau was shocked, and instantly resigned, withdrawing to his country-seat, the place of his former exile, where he remained some four years more. In this interval the regent and Dubois had both died, and were succeeded by Louis XV. himself and another cardinal. The

latter, Fleury, brought D'Aguesseau back once more, though upon terms scarcely creditable to the chancellor this time. But he was now aged; and after a life's enjoyment, office becomes, like gambling, intoxication, and other vices, when once habitual, a condition for which honour will, like life, be placed in jeopardy. We gladly drop a veil, then, on this infirmity of a great character, to close with some remarks on the productions of his second exile.

These were of the most diversified description, such as letters on the Creation; on Aristotle's definition of tragedy; on the ancient lawgivers Theseus, Romulus, &c.; on the metaphysics of jurisprudence, and a number of other subjects. The "Meditations" are of all the most extended and elaborate, and have been the most popular of all his works abroad, being translated into several European languages. They have something of the nature of their Cartesian namesake, a school of which the author was a zealous disciple. It is not strange, then, however curious it may seem in a jurist, to find him criticising Newton's theory of gravitation.\*

To such universality in the fields of positive knowledge D'Aguesseau further added an acquaintance with most of the languages of modern and ancient Europe, and with the Hebrew, Syriac, and others of the East. In both departments he was deemed a sort of oracle in foreign countries. Nothing perhaps could show better this reputation for various learning than a question so remote from his professional pursuits as one which was addressed to him by our own Royal Society. It was not, as the reader will readily foresee, respecting the defects of the Newtonian system; was it, then, upon the regulation of the legal profession, or upon the reform or codification of the law? No; the information sought from the great French jurist by the English Academy was simply about the "calendar"!

The production of D'Aguesseau the most useful to his own country was his grand initiation of the codification of its laws. This vast project he commenced towards his seventieth year,

\* The reader may be pleased to hear him briefly in this character. "Newton's whole system," says he, "turns on the supposition of two forces, the rectilinear and the centripetal, which do not proceed the one from the other,—which are completely independent,—which cannot, consequently, be reduced to the unity of a sole principle and a uniform cause—which conflict with each other, on the contrary, and tend to destroy each other mutually; but which, however, have a relation to each other so necessary, that the first without the second, and the second without the first, would be absolutely useless: so that it is plain the right-lined motion has been *imagined* but in order to modify the centripetal, as reciprocally the centripetal has been *invented* but to the end of correcting, in its turn, the right-lined movement. . . . But it is hard to believe that the primal motion was a compound one. It is an assumption entirely at variance with the idea which we have of the simplicity of the ways of God, the author of nature, which converge all of them to unity." *Œuvres*, Pardessus' edition, tom. xvi. p. 124.



and prosecuted on his last return from exile. The result in part compensates us for the price which he paid for the opportunity; for out of his office as chancellor he could do nothing, as his plan was to give sanction by judicial decision to legal principles as they were drawn out and developed by his assistants. This judge-codification (as Bentham might have called it) was much more effective than it would have been if more ostentatious. We have not space remaining to give the least idea of the magnitude of the task or the extent of the execution, and can only add the three great divisions of the programme. They were, (1) the subject-matter itself of jurisprudence; (2) the form of juridical procedure, or the "style;" (3) the conduct and discipline of the officers of justice, both judicial and executive. Thus he discusses the substantive, the formal, and the instrumental elements. The contemplation of this noble work, which was, however, but the mere crown and completion of a long life of active service and of universal study, cannot but call to mind the similar project of an English chancellor; who, though with perhaps less obstruction, put his office to other uses, and left his project, in this as other things, in the magniloquence of a mere programme.

Yet there is still a higher testimony to the character of the minister and the man. It is that, in the quarter of a century during which D'Aguesseau held the seals, there was not issued in France a great work upon any subject of which he was not more or less promoter and patron. Says his biographer, "Pendant tout le cours de son ministère, il ne parut presque pas d'ouvrage important auquel il n'eût contribué par sa protection et ses lumières." Thus he was not satisfied with being the mere condescending patron, but also lent his powers to his *protégés* as assistant. The immortal work of Domat he paid the expense of publishing. He did almost the same for the scarcely less celebrated *History of the Roman Jurisprudence* of Terasson. An obscure student from a remote province once addressed him a letter, describing the project of a work upon the Pandects, which he was sure of executing had he but the means of subsistence in the mean time, and of publishing when it was done. He received forthwith an answer, desiring him to come to Paris, and present himself to the chancellor. The means were found, the work was published; the author was placed where other such works could be best produced—in the chair of law-professor of the University of Orleans. This author was Pothier, whose treatise on "contracts" is a text-book of principles with even English lawyers. D'Aguesseau aided even Diderot in setting on foot the *Encyclopédie*.

Yet the man who was thus liberal, nay vigilant, to help others in publishing, had never published any of the multitude

of his own writings. When they happened to appear in his lifetime, it was through the agency of others; and all were not collected till after his death. There can, however, be no doubt that he designed them for the press. This, indeed, would be evinced by the mere polish of the style, upon which, in conclusion, we subjoin the following delicate remarks of M. Villemain. "*N'ayant pas cet instinct profond de naturel qui appartenait aux vrais hommes de génie de son temps, D'Aguesseau eut plutôt les artifices que les inspirations de l'éloquence, et fut un écrivain habile, mais non pas un grand écrivain.*" The reasoning of the criticism is admirable; but the application is far from being just. The parliamentary orator and academical rhetorician overlooked the distinction, above noted on this point, between the eloquence he alludes to and the judicial species, which, as essentially ratiocinative, must appear to be artificial. The eloquence here in place is one of arguments, not "inspirations."

It is more difficult to pronounce generally on the genius of D'Aguesseau. His faculties were too well balanced, or were disciplined to too much symmetry, to leave those angularities of dazzling excess, or those startling defects, through which the character is easier seized and analysed, and yields the mixture of shade and light by which to picture it to others. In the mind as in the morals of this most accomplished magistrate the only striking fault, if it can be called striking, is a tame or level faultlessness; and, on the other hand, the highest excellence is not greatness, but completeness. He, in short, is *totus, teres atque rotundus*. This peculiarity excuses or accounts for both the baldness and the meagreness of the tardy biographer, which are extreme even for the literature and philosophy of a lawyer. What the biographer has not done in the course of two volumes, it would be even presumptuous to attempt here or now. We shall, however, try to designate the intellect of D'Aguesseau at least by its poles, so to speak, of strength and weakness. And as this is done most popularly by means of contrast or comparison, we shall briefly compare him, in those aspects respectively, to two supreme and celebrated representatives of the English judicature, namely Chancellor Eldon and Chief-Justice Mansfield. The comparison may also, perhaps, throw some light upon the mental peculiarities of these great men themselves; a light which is still needed in the case of one of them at least.

The main intellectual weakness imputed to D'Aguesseau was doubt or indecision in his judicial functions, and a pedantic refinement in his mental conduct generally. Saint-Simon, in his full-length portrait of the chancellor, paints this foible in the strongest colours: "*C'était un accouchement pour lui de se déterminer.*" And he adds, that the same prim and formal method

was applied in his writings, the smallest business-note being repeatedly re-written. But Saint-Simon, it is known, was the very incarnation of feudal animosity towards that *bourgeoisie* of whom D'Aguesseau was the principal organ and ornament, and thus was led to darken and even distort the truth. What truth there might have been in the criticism is, with his habitual modesty, confirmed by the chancellor himself, where, on occasion of the discussion above referred to of Newton's doctrine, he concludes, with, however, it may be, a touch of irony, "that the subject was perhaps beyond his powers, which somewhat resemble those attributed to matter by Mr. Newton, and consist but in a species of inertia or indolence, more capable of resistance than activity." But this characteristic preëminently belongs to the judicial mind, at least when the resistance is sustained as by D'Aguesseau; when it proceeds from a true equipoise of principles.

In few juridical or social questions can the point at issue be simple; it must turn on complex considerations, and introduce a multitude of principles. These must consequently be all present to the mind for comparison where the process is not shortened for the judge by the law-maker; for the task of positive law is to strike this balance upon a general view of the relations of society. This abridgment must be wanting in the judgments of equity, which means, at least in England, the supplement of law. And such was largely the state of all French jurisprudence; where not only were there constantly three contending systems, but equity, moreover, was never severed from the law. It *was*, in truth, the law as developed by the nation from the historical conflicts of the canon and the feudal. D'Aguesseau, then, had to decide between all three as a judge, and, moreover, upon principles of reason and philosophy. Hence the slowness which, to persons unaware of these necessities, appeared to be a mark of mental weakness, or at least pedantry. The sources of like slowness are constantly found in men of fertile minds, who are apt to be comparatively slow of pen and speech. They have to make a selection, and from matter ever new; whereas when scanty and familiar, the stock is produced rapidly. According to Swift's image, people come with less facility from a church when the building is crowded than when it is half empty.

This dilatory habit of D'Aguesseau's mind Lord Eldon had notoriously and in an exaggerated form. The cause must, however, have been different in nature as well as in degree in the English chancellor. His special province, as explained, was pure equity, unaided by the mixture of legal rule or principle. Discretion was thus much less trammelled, and was more dependent

for the premises of judgment on the mind itself. But Eldon's mind also was singularly void of every thing like principle, whether legal or logical. He knew nothing of any other law than the English; was a man of one book, and that—*Coke upon Lyttelton*. Of science or philosophy he had not a tincture. It is said that even his general reading never went beyond the Bible. He once thought it worth while to announce from the bench that he had been reading the *Paradise Lost*. No doubt his knowledge of the native jurisprudence was rarely equalled; but his Chancery jurisdiction was in theory an appeal against the principles, or rather rules, of the common law to deeper and controlling principles. And Eldon looked for these deeper principles to two sources alone—the actual facts of each particular case, and the resulting impression on his mind, which he called conscience. It was the tentative manipulation and adjustment of these two factors that, by its slow procedure, caused the excessive doubting.

This solution is best verified by showing that it may also explain the other foibles of the man and the judge, and even the mistakes of the critics respecting them. For instance, the couplet of certain wags in parliament:

“ With metaphysic art his speech he planned,  
And said what nobody could understand.”

The speech could not have well been greater nonsense than the epigram. It is not metaphysic art that men plan with; art is not metaphysical. Besides, Lord Eldon was as destitute of all plan as of metaphysics, and as destitute of both as any other man in England. Metaphysicians are much more often dogmatists than doubters; and dogmatists respecting the abstractions of their analyses, not, as Eldon was, respecting the impressions of his early education. Witness Hume, Bentham, and the rest of the tribe. Eldon was not farther from speculation than from method. The only thing he ever attempted to “plan” was the famous imitation of the eloquence of Sheridan; which consisted of an insane jumble brought together, says Lord Campbell, from “the Bible, *Joe Miller*, and the *Elegant Extracts*.” His success on this occasion apprised his usual shrewdness of his utter incapacity for composition of any kind. In short, in striking contrast to the elegant D'Aguesseau, he never could compose a compound sentence grammatically; not, however, we repeat, because he planned, or was metaphysical, but because he never planned at all. His tentative manipulation of particulars was so minute, that it seemed to mark acuteness, and so metaphysics. But a greater blunder could not have been made.

Equally confirmatory is the explanation which the chancellor

himself used to plead for his hesitating frame of mind. He could not, he said, trust to the statements of the lawyers, and sought to go behind them into the facts himself. And this naïve apology is turned into a eulogy. As if it were the usage of judges to trust them! as if the statements were themselves not professedly defective, and even quite antagonistic exhibitions of the facts! To supply these opposing views is the business of the lawyers; the business of the judge is by their means to find the truth, which must be of necessity *between*, and not "behind" them; to strike the average, to find the principle of the particular case, as the law-maker does that of the general situation. Now this task of the judge supposes processes of logic, and also principles of natural law, where, as in equity, there is no positive law. But both these requisites being absolutely wanting in Lord Eldon, he was thrown for his resources upon the bare facts, which he was too sagacious to accept from the lawyers, and too conscientious not to seek to sound himself. They were thus his sole materials for forming a judgment. Moreover he could not rest content with any part of them, as he could deduce nothing logically from their consequences or their conflicts. He took them, not for signs of the law, but for its *substance*, which seemed therefore incomplete till every detail was considered, and he had applied his mind by a sort of physical contact to the whole mass.

It is the dark unreasoned result of this groping about in the facts that he used to call his conscience and avow as his criterion. Hence, again, the well-known frequency of his appeals to this tribunal; not from cant or hypocrisy, as has been charged so often. Indeed, even his accusers do not question the legitimacy of this personal "forum;" though detached from the influence of local custom, there is nothing more monstrous. A judge deciding by his conscience would be a despot in detail, and infinitely worse than a despotic ruler. It therefore is not from his "conscience" that Lord Eldon really judged, but from the aggregate impression of the facts upon his mind; and if to this he gave the name of conscience, the fair conclusion should have been, not that he meant to deceive, but that he shared in a sentiment which even the indulgence, nay praise, accorded him proves to be national. It is, in fact, an exaggeration of the specialty above explained, of viewing our jurisprudence and public life in general not so much from the social or collective as from the individual aspect.

It was the same close adhesion to the positive and actual that gave a taint of bigotry to Eldon's conservatism. To him the institutions and laws of the country were a structure of mere facts, a mass physical, and therefore fragile, kept together

by the mere force of cohesion. Without knowledge of the past, or ideal of the possible, he held this fabric to be part of the eternal frame of nature. He thus resisted, with what otherwise would be a savage cruelty, the abolition, for example, of capital punishment for the slightest crimes. It would have been a stone, perhaps a corner-stone, detached from the sacred edifice. So through his whole life he fell back on the impressions of his early days, upon which he always dwelt with a sort of superstition; but the rehearsal of them showed a vulgar nature. Thus, for instance, the famous motto encountered on the stage-coach, which made him, he hints broadly, Lord-Chancellor of England, and was the vindication and rule of his whole life, betrays the same concrete misconception of his functions. In the *sat cito si sat bene* he understood by *bene* the attainment of the bare fact of justice or the law. But this is not justice *in relation* to a party made to wait for years, until he has been ruined in consequence. The motto leaves out wholly the importance of *time*, which is an element in all value, nay the "staff" of life itself, and what is more, the very essence of the charge against him which he seeks to answer. How well, accordingly, has D'Aguesseau declared, in a passage cited, that to delay decision beyond a certain limit would be as real an injustice as to precipitate it at the outset!

Thus, then, were our two chancellors strikingly opposed in the very qualities in which they most seemed to resemble each other. The delay and hesitation proceeded in the one but from the very multitude of *principles* to be arrayed; in the other, from the multitude of *facts* to be amassed. But if the greater abuse was a virtue in Lord Eldon, the lesser and more logical cannot be weakness in D'Aguesseau.

The point on which a comparison with Lord Mansfield may illustrate D'Aguesseau's powers is the Frenchman's forte of elegant argumentation. By these it was that the Scotch adventurer made his way in a strange country, without sympathy or indulgence, but rather against them, by dint of sheer merit. His genius is quite happily hit off by Horace Walpole, in comparing him with the greatest of his adversaries, Chatham. "Pitt," says the lively writer, "could only *attack*; Murray could only *defend*." And of the latter he adds, that he "*refined* too much and could *wrangle* too little for a popular assembly." Nothing could be more exact than both the traits. The latter evinces the eloquence of Murray to have been, not the demonstrative or the debating, but the judicial. And the power of argument appropriate to the bench is also the cause of excellence in defence.

D'Aguesseau was more favoured than any man whose train-



ing is that of a mere advocate, by his position of French magistrate, which made him neither wholly defender nor prosecutor, but in general a reviewing power, and thus obliged him to reason on a larger field. He accordingly far exceeded Murray in this, and also in eloquence; though scarcely perhaps in genius. Besides, the French magistrate had had no complete model; Lord Mansfield avowedly copied D'Aguesseau. And he did this not merely in his eloquence and tastes, but in the highest achievements of his public life—his law reforms.

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ART. VIII.—PEASANT LIFE IN RUSSIA.

*Récits d'un Chasseur.* Par Ivan Tourgueneff. Traduits du Russe par H. Delaveau. Chez Dentre, Libraire-Editeur au Palais Royal. Paris, 1858.

*Scènes de la Vie russe.* Par Ivan Tourgueneff. Traduites par M. X. Marmier. Librairie de Hachette et Cie. Paris, 1858.

*Scènes de la Vie russe.* Par Ivan Tourgueneff. Traduites du Russe par Louis Viardot. Deuxième Série. Librairie de Hachette et Cie. Paris, 1858.

In the beginning of the year 1854, when the Russian war was a subject of universal interest, and any publication on Russia was eagerly received, a book appeared in Paris with this title: *Mémoires d'un Seigneur russe* ("Memoirs of a Russian Nobleman; or, a Picture of the present Situation of the Nobles and Peasants in Russia, with an Introduction"). It was published by Hachette, in the *Bibliothèque des Chemins de Fer*. M. Marmier, whose European reputation had given currency to the name of Gogol by his translations of some fragments of that writer in the *Revue des Deux Mondes*, admired the work, and many were astonished at the refined and delicate delineations of character and scenery, so striking even through the medium of a translation. Speculations naturally arose as to the author of a work which lifted for the first time the thick veil that concealed the east of Europe from the west. People talked, and made inquiries, the result of which was that it had been first published in a volume at Moscow, in 1852; but some portions of it had previously appeared in separate fragments in a literary magazine or review published at Moscow, and called *The Muscovite, or the News of Moscow*. Each fragment consisted of one of the adventurous wanderings of a sportsman. Surprise was naturally created that so much truth as to the existing abuses and institutions of a

country known to be subjected to severe censorship, should be allowed to circulate; but it was discovered that the subdued manner and peculiarly undeclamatory style of the writer had so completely succeeded in veiling his intention, that the censor had never found out the general ideas that underlay the whole. When the fragments were collected, however, and the government became aware of the real purpose of the work, the author was first sent to prison for two months, and then exiled to his own estate for two years; the censor was sentenced to two years' imprisonment to sharpen his perceptions for the future. It has been stated in the preface to the second translation that the first Russian edition has been long exhausted, and no second had been allowed to appear up to last year.

The French translation, which had first made the book known, satisfied neither the author nor his Russian readers; a second appeared in 1858, by M. Delaveau, with the author's approbation, under the original title, *Narratives of a Sportsman*, by Ivan Tourgueneff. The preface contains a warm protest by the author (taken from a Russian journal) against the blunders and wilful alterations of his first translator; but as the work has been read and admired in spite of these drawbacks, the impartial reader may conclude that its merit consists chiefly in the substance and plot of the book, though no doubt the style and execution must greatly enhance its value to those who can read it in the original.

The present translation\* has not only the author's approbation, but contains several passages that had been prudently withheld in the original, and which must add to its value, as their suppression is a presumption in favour of the exactness of their representations.

The narrative is that of a noble Russian landed proprietor, who professes a passion for shooting and deer-stalking: we find no mention of what is termed hunting in England. This propensity leads him to wander far and wide in search of game, chiefly in the governments of Orel and Kalonga (about the middle of European Russia, to the south of Moscow). Returning to his own domicile in Orel to sleep is of course quite out of the question; he is sometimes sixty or eighty miles distant; he therefore trusts to chance for his night's lodging, being sometimes hospitably entertained by a landed proprietor, sometimes by a serf who has acquired a house by his energy and good management, and pays a high *abrok* (duty-money) to his owner instead of working on his estate. Another time he is surprised by a

\* M. Delaveau has published several very interesting articles in the *Revue des Deux Mondes*, with fragments from the Russian poets, and accounts of their lives; thus giving to the public a key to new modes of thought and expression.

storm, and takes shelter in the hut of a forester, a serf who guards his master's woods; again, he goes to an independent miller, who has bought a serf-wife because she can read and write. One of the most attractive and poetical scenes in the whole series, is the description of a night spent in a broad grassy valley in the government of Toula, where the sportsman, after losing his way, reaches a prairie, and finds, just as the sun has set, several boys established for the night to guard a herd of horses. The heat in summer is so oppressive that it is the custom in those provinces to drive the horses to graze all night, which saves them from the torment of the gad-flies and the scorching sun. This custom affords a great treat to the village boys, who spend the night in relating to each other the ghost-stories current in their village, while their supper is cooking over a fire. The sportsman, pretending to sleep, listens, and observes their faces; the warm summer night, freshened by the light breeze, the starry firmament, the quiet animals grazing so close to him that he can hear them breathe, the singularity and interesting character of some of the children as it comes out in their conversation, the varying tints of the landscape from the setting sun to early dawn, are painted like a Claude. On another occasion he is detained at a post-house, and meets with a landed proprietor who has been ruined, partly in consequence of his love for a neighbour's serf, which brings him into collision with the law. Again, he gives an account of two neighbouring proprietors and the management of their serfs.

Each expedition brings out some incident of Russian life or dialogue; each brings before the reader, institutions, characters, and a state of manners entirely unknown to him; illustrative of a whole country in which an ordinary visitor might travel from the White to the Black Sea, and discover nothing but drawing-rooms, well-dressed ladies and gentlemen, and very dirty inns. We should give but a slight idea of the service rendered by this book to the Englishman, were we to say that it gives him a much deeper insight into the state of Russia than he could ever attain by travelling in that country. Nor should we even do it justice if we said that it conveys the same sort of knowledge of Russia which popular English fiction—Miss Austen's novels, for example—conveys of England. It does a great deal more for us than this. The knowledge it conveys could never be attained at first hand except by a thorough mastery of Russian, one of the most difficult of the European languages, and by making use of that knowledge in the huts of the serfs as well as in the drawing-rooms of the upper classes. Popular English fiction like Miss Austen's, introduces us only to that phase of English life which cultivated foreigners can most easily apprehend; this book

takes us into the very heart of many phases of society, we never could have studied for ourselves.

That the work is a sign of the times in a political point of view is certain; but it must not be supposed that all Russia has been transformed within the last few years, since Nicholas died and Alexander was crowned. Numerous have been the throes and subterranean groanings that have for years betrayed, what must burst forth whenever any vent should be found. For the last thirty years Russian writers have been inspired by hatred of existing abuses, and a yearning for improvement. Pushkin, for example, who was born at the end of the last century, was one of the first writers who really knew how to develop all the richness and capabilities of the language. He wrote satires against Nicholas, and was persecuted by him in the early years of that reign. Again, there are Gogol's incomparable dramas, the writings of Lermontof, Felt, and Tourchef, Greboyadoff, Soltikoff, Wikrussoff, Akrusof, and many others. In fact, it would be difficult to name a writer of talent within the above-named period who has not been excited and inspired by the same causes as Ivan Tourgueneff, though none have presented so complete and graphic a picture to Europe. Some were banished, or had their career arrested in various ways. Poverty laid them open to temptation, and no means were neglected to draw them into dissipation, especially drinking. In many cases they fell.

Still a shade of progress since the last century may be discerned even in the proceedings of government. Civilisation, by which we mean a fuller development of human faculties, was creeping on underground; but, like a plant whose root may be full of life and vigour, it spreads long concealed beneath the surface, till all at once a sunbeam gives it an impulse, and it starts forth into open daylight. Let us hope that Alexander II. may be that sunbeam.

It is difficult for us to appreciate sufficiently the courage required to exhibit the miseries of the serf in all their varied shades at the time when this work appeared, — the *régime* of Nicholas in all its vigour, backed by his old Russian party, and Siberia in the distance. The impression left on the mind is one of deep disgust at slavery; yet (and this adds to the value of the representation) no fantastic or even flattering picture is drawn of the serfs. The effect is not produced by ascribing to them fictitious virtues or imaginary graces. Ivan Tourgueneff has simply drawn from the life characters and incidents as they presented themselves to the eye of a close observer. His talent is essentially dramatic; his personages are known by their actions and their conversation. Often a sigh, a look, a gesture, betrays much; and even their silence is not without a meaning.

He never analyses his characters; they are completely unconscious. His subject has probably suggested to him the most poetical manner of delineating human beings, who lose much of their grace and simplicity by self-contemplation.

As it is our principal purpose in the present paper to make our readers in some degree acquainted with this very remarkable book, offering only such general comments of our own as a somewhat closer acquaintance with the subject than most Englishmen possess, may seem to render desirable, we shall make no apology for extracting freely from its most characteristic scenes.

We give first a very abridged account of the first chapter, more as a specimen of serf life than of the author's manner, which is much more minute in its details. Every chapter contains some incident peculiar to the condition of the serfs, but which always appears to come in by chance. The author's delight in the varied aspects of nature; his ardent pursuit of blackcocks, partridges, woodcocks, and wild-ducks,—are the ostensible motives for his wanderings and his relation of them; and, in truth, his landscape-painting is so beautiful and exact, he brings before one the country he describes so completely, that the reader is at no loss to understand how the unlucky censor's attention was diverted from the dangerous spirit of the stories, as in looking at a beautiful insect we are apt to forget the sting. But no detached specimens can do justice to Ivan Tourgueneff's work, because each scene is but one aspect of a varied and complete whole, a fragment of one large picture; one sketch helps us to understand the next. The work has also another value. It is probable that the greatest event of this century, the liberation of 21,000,000 of human beings (the number given by statistics), will entirely change, or at any rate greatly modify, the character of the nation. This book, then, will remain as a photograph of what once existed, and a photograph that cannot fade; moreover the picture bears probably some resemblance to the state of our own ancestors 900 years ago, whose circumstances were somewhat similar. We fancy that we can detect a few traits of some of the characters of our fine old ballads, where modern plastering has not entirely obliterated the original strength and rudeness of the uncivilised outline.

The first scene, called "the Burgomaster," is an account of a visit to a gentleman, Arcadi Paolitch Pinotchin, who boasts much of the management of his burgomaster; the title given to a sort of mayor of the village, chosen from among the serfs by the master to manage the land and the slaves. He proposes an expedition to the village, that the sportsman may see how cleverly it is managed. He takes his cook in his carriage, and

clothes and cushions enough for six months. He interlards his discourse with French; and as they converse on the road he says: "My peasants are on the *abrok* (duty-money). What can one do? However, they pay me very regularly. I should have put them to the *corvée*, but there's not land enough to work upon. I only wonder how they make both ends meet; *mais c'est leur affaire*. I have a burgomaster—such a famous fellow! *une forte tête*, a real administrator. You may judge for yourself." They meet the starosta, the under-manager, next in dignity to the burgomaster; a gigantic fellow, who follows them respectfully. Every creature is in a state of terror as they pass along. The house of the dignitary is in a large field; his wife with low curtsies kisses the master's hand, and is presently seen through the door beating a servant in silence, who receives the thumps in the same profound silence. The burgomaster comes home, smelling much of brandy. On seeing the two visitors, he exclaims, in a loud drawing voice:

"Ah, you who are our fathers, our benefactors—you have deigned to visit us.' Here he puts on an expression of tearful sensibility. 'What, you have deigned to visit us! Your little hand, my father—your beloved hand,' he added, stretching forth his lips with ardour. Arcadi Paolitch hastened to gratify this affectionate effusion. 'Well, father Safrone, how are things getting on?' said he, in a coaxing voice. 'Ah, father, how could they go wrong? Are you not our father, our benefactor? You have deigned to honour our poor village with your presence; you have loaded us with favours for all our lives. God be praised, Arcadi Paolitch, all goes well, thanks to your goodness.' Safrone was then silent for a moment, and stood still staring at his master. Then a new transport seized him, a little heightened probably by his previous potations; he kissed his hands again, and went on, in the same whining voice, 'Ah, merciful father that you are, I believe joy will make me crazy. Yes, I take God to witness, I can't believe my eyes. Ah, father!'

Arcadi just glanced at me, smiled, and said in French, '*N'est-ce pas que c'est touchant?*' 'But, father Arcadi Paolitch, why did you not deign to let me know . . . your arrival? it is enough to put me beside myself; where can you sleep? every thing here is dirty and untidy.' 'It is nothing, it does not signify,' said Arcadi smiling, 'every thing is very well.' 'O yes, for us peasants; but for you—our benefactors!' Supper was then brought, and we sat down. Safrone sent away his son, telling him he was not fit to remain in such a presence.

'Well, have you done the surveying, my old man?' and Arcadi tried to imitate the speech of the peasant, looking the while at me with a self-satisfied air. 'It is done, father, thanks to your beneficence, the paper is signed. The people of Klinova were not satisfied; they wanted, Heaven knows what; they are a parcel of fools. My



father, they owe best thanks to you; we have *thanked* (this is the term for having made a present) 'Nikolai,' the surveyor. 'Ah, you are our fathers, our benefactors!' cried Safrone; 'we pray for you night and day. No doubt the village is short of land.' 'Very well, very well,' said Paolitch, cutting him short, 'I know you are a faithful servant.'

Then follows an account of a corpse found on the estate, which Safrone, seeing that his master is displeased at the last observation, artfully relates. The corpse was immediately dragged on to the neighbouring estate, and a bribe given to the police-officer in order to avoid the fine, customary on such occasions. Paolitch is so pleased with this clever trick, that he repeats several times in French, "*Quel gaillard!*" They sleep at the burgomaster's, and Paolitch proposes showing the estate to the sportsman, who is rather curious to see something of this much-vaunted management; the burgomaster was less talkative than overnight, and showed much intelligence in his explanations of what they saw. They visited the hemp-fields, drying-grounds, poultry-yard, the orchards, the draw-well; every thing was in perfect order. The visitor was struck, however, with the sad and subdued look of the peasants. Arcadi Paolitch was quite delighted; he began descanting in French on the advantage of the *abrok* system, though he said he did not deny that the *corvée* was often more profitable to the land. They then rode to the woods, which were extremely thick; the old-fashioned system was followed of keeping the trees very close, and *à propos* of this Arcadi relates as an amusing anecdote, a story of a jocose proprietor who tore off half the beard of his woodman, to make him comprehend that felling trees does not make woods grow thicker.

"He then proposed going to a barn to show us a new instrument, which he certainly would not have done had he foreseen what we should meet there. A few steps from the door, near a quagmire, were two peasants, one an old man of sixty, the other a lad of about twenty; they wore coarse shirts of the village manufacture, a cord round their waists, and were barefooted. The Zemskoi (the man who keeps the accounts, and belongs to the establishment of the burgomaster) was apparently busy with them, and would probably soon have got rid of them had we remained inside a little longer. When he saw us he stood stock still, in the position of a soldier; the starosta did the same, with his fists closed. Arcadi Paolitch frowned, bit his lips, and approached the peasants, who threw themselves at his feet.

'What do you want?' said he in a stern voice.

They both looked at each other, but did not speak; their eyes winked as if the sun had shone into them, and they breathed quicker. 'Well, what is it?' in the same tone; and turning to the burgomaster, he

said, 'Who are those?' 'Of the Tobolieff family.' 'Come, what do you want? Have you no tongue?' looking at the old man. 'Come, you fool, don't be frightened.' The old man stretched out his long, sun-burnt, wrinkled neck; his pale lips moved convulsively, and he answered in a hoarse voice, 'Protect us, O lord!' He struck the ground with his forehead, and the youth did the same. Arcadi Paolitch looked down on them, threw back his head, put one foot forward, assuming a dignified look. 'What's this? who do you complain of?' 'Take pity on us, lord, allow us to breathe,—we are destroyed.' The old man seemed to want words to express his meaning. 'Who destroys you?' 'Safrone Jokonitch, O father.' There was a moment's silence; then Arcadi said, 'What is your name?' 'Antipe, my good father.' 'And who is the other?' 'My son.' A second silence; but Arcadi's mouth twitched. He twirled his moustache and said, 'How did he destroy you?' 'O father, he has ruined us past redemption: he has made two of my sons soldiers out of their turn.' From military conscription no family is exempt, but each must take its turn to furnish a recruit. 'And now he is going to take my third son. Yesterday, O father, he took from our yard our last two cows, and my poor wife was cruelly beaten. That is what his grace deigned to do;' and he pointed to the starosta, the gigantic son of Safrone and his under-manager.

'Hey!' said Arcadi Paolitch. 'Let him not complete our ruin; thou art our real father.' Paolitch's face became sterner than ever. 'What does all this mean?' said he in a lower voice, expressing subdued anger, turning to the burgomaster. 'He is a drunken sot,' respectfully answered Safrone, 'an idle fellow; he has been behindhand in his *abrok* these five years.' 'Safrone Jokonitch paid what was wanting to complete my duty-money five years ago,' said the old man, 'and ever since he has made me work for him; and besides that—' 'And why did not you pay your duty-money?' said Paolitch harshly. The old man's head fell on his breast. 'You are fond of drinking, you go to the alehouse—' Here the old man was going to speak; but Paolitch went on with increased violence, 'All your business is to drink and lie on the stove; the industrious peasants must pay for you, and you let them.' 'And moreover he is insolent,' chimed-in the burgomaster, continuing his master's speech, who took it up again. 'Of course, it is always so; they are drunk all the year round, and then come crawling at one's feet.' 'O my good father, Arcadi Paolitch,' cried the old man in a tone of despair, 'have pity on us,—take our part! We insolent! we are at our last gasp; it is as true as if I were speaking to Almighty God. Safrone Jokonitch hates me, and why? May God be our judge, he has worn us out. That is my last son; and he too, he is going.' . . . . . Tears started in the yellow and half-closed eyes of the old man. 'Take pity on us, all-powerful master—protect us.' 'And it is not only us that he treads upon,' said the lad; but Arcadi Paolitch stopped him, and speaking louder said, 'Who speaks to you? Silence, I say! silence! Ah, my God, why it is an absolute rebellion! . . . No, no, brother, I'm not the person to be—' . . . He stepped forward and stamped; but, no doubt recollecting my presence, he retreated a step and put his hands

in his pockets. '*Je vous demande pardon, mon cher,*' he said with a forced smile, turning to me, and added in a low tone, '*C'est le revers de la medaille.* Come. Very well,' without looking at the peasants, 'I shall see about it; I shall give orders. Go away.' But the peasants did not rise. 'I have spoken!' Hey day,—go, go, do you hear? I will give orders. . . . This is how it is,' muttered he, turning his back upon them, 'always something disagreeable;' and he stalked off to the house, Safrone following him. The two supplicants remained a few minutes on the same spot; then, looking at each other, they slowly walked towards the village.

Two hours after this occurrence I was at Rebowa, where I went in search of game, taking a peasant whom I knew, called Anpadiste, with me. I talked about the peasants of Chipiloska, and of their master Paolitch, and inquired if he knew the burgomaster. 'What, Safrone Jokonitch? Indeed I do.' 'What sort of man is he?' 'He is not a man, he is a wild-beast, and such a one as you will hardly find between this and Konvsk. Now that estate of Konvsk only nominally belongs to—what do you call him? Paolitchkine.' (This termination to the name shows dislike.) 'It is Safrone's; he is the master.' 'Is it possible?' 'He treats it as his own property, for all the serfs are his debtors; he makes them work themselves to the bone: he sends some of them as carriers; some one way, some another; he has entirely exhausted them. They have not much land, they say. All false. Safrone hires more than eighty dessätins from the peasants of Klinova, and a hundred and twenty from ours, and more which I don't count; but he not only makes the most of the soil,—he sells horses, cattle, pitch, oil, hemp, and many other things. And the brute is rich. But the worst of all is that he strikes; he's a ferocious beast, and not a man.' 'But why don't the peasants complain to their master?' 'Why, because he has all he cares for,—nothing is owing to him. Ha, yes,' after reflecting a moment, 'I advise them to complain; he'd . . . yes, they'd better try,—ha, you'd see what he'd do.' I thought of Antipe, and told him what I had seen. 'Well,' continued Anpadiste, 'he will destroy them without mercy,—the starosta will beat them till they die. Ah, what an imprudent fellow he was!—can any thing be so foolish? The poor wretch!' 'And why is he so persecuted?' 'I'll tell you. He once disputed a point with the burgomaster before an assembly of peasants; and he has owed him a grudge ever since, and has been always gnawing at him. Now he'll finish him; he knows who to fall upon. He daren't touch rich old men with large families; he is civil to them, the bald devil that he is. But on the others he falls without mercy. He has taken away two sons of Antipe from the village. He's a beast: may God forgive me! And we went on our way."

We must make a few more extracts from Ivan Tourgueneff's narratives, to give our readers some slight glimpse into the life of the different classes in Russia. The tale called "Kor and Kalinitch" is a picture of two serfs so named, whose master, M. Polontskine, lives in the government of Kalonga, and is a friend of

the author's. It begins with a very circumstantial description of the villages in the governments of Orel and Kalonga. Kor's dwelling is in the heart of a wood, situated in an open space, which he has cleared of underwood, and has brought into a cultivated state. It consists of several buildings, connected by palings. The principal *isba* (the name of a Russian farmhouse or cottage) has a porch, supported by little wooden pillars. A lad of about twenty received the visitors. They entered the chief room; a small lamp burned in a corner before a massive image plated with silver; the table, made of lime-wood, was beautifully clean and smooth, as were also the wainscots, the interstices of which were free from their very common inhabitants, the nimble *prossaks* and slow-crawling beetles. The lad, who was Kor's youngest son, went away, and soon returned with a white basin full of *krass*, an enormous piece of wheaten bread, and a dozen salted cucumbers swimming in a wooden bowl, which he placed on the table. He then leaned his back against the wall, and stood looking at them eat this meal with a hospitable smile. Kor was absent, but six tall sons successively came in. Their horses, their *telega*, themselves, all were at the disposal of the master and his visitor. On the way home the latter inquires why Kor does not live in the village.

"'Because he is an intelligent man. Twenty-five years ago his *isba* in the village was burned down. He came to my father and said: 'Nikolai Kouzwitch, allow me to establish myself far down in the wood, in the bog, and I will pay you a good *abrok*.' "Why so?" inquired my father. "It is my fancy," answered he; "only, Nicolai Kouzwitch, require no other work from me, and I am willing to pay you any *abrok* you please." "Fifty roubles a year." "Very well." "But mind, no delays." "You may be certain that there will never be any." He then established himself in the bog, and he has been called "Kor" ever since.' 'And has he grown rich?' 'Why, yes; he now pays a hundred roubles of *abrok* a year, and could pay more if I required it. I have said more than once to him, "Buy your freedom;" but the sly fellow wants to persuade me that he can't afford it.'

The next day, as we were going through a village, we stopped before a small *isba*, and M. Polontskine called, 'Kalinitch,' in a loud voice. 'Here I am, little father; I'm tying my *lapti*' (a sort of mocassin made of birch-bark, and worn only by the poorest peasants). We went on, and were soon overtaken by a man of about forty, very tall and thin; this was Kalinitch. I liked his good-natured sun-burnt face directly I saw it. He always accompanied his master in his shooting excursions, and carried his gun and pouch, started the game, brought water, and gathered wild strawberries for him; he was always at his master's heels, always merry and humming a tune; he was very civil to me, but not servile; to his master his attentions were like those of a mother to her child. When the heat was intolerable, he would find out some

thicket in the wood where the sunbeams never penetrated; or if we had taken shelter in some hovel, he would fetch new hay for us to lie upon, and hang around aromatic plants; then he would muffle up his face and hands, and climb into some all but inaccessible tree and bring down new honey.

The next day we returned to Kor's house; and this time he was at home, standing at his door. He was a little old man, bald, broad-shouldered, and robust: his face reminded me of the busts of Socrates, and he spoke and moved deliberately. We talked of the harvest, of sowing, and of every thing that interests farmers. He always agreed to what I said; but presently I began to suspect that my questions were indiscreet, for he did not answer in a plain, straightforward manner. No doubt this was from prudential motives. For instance: 'Well, Kor,' said I, 'why don't you buy your freedom?' 'Why should I? I know my master well, and I know the *abrok* I have to pay; he is a good master.' 'Liberty is better,' said I. 'Yes,' he answered. 'Why don't you buy it, then?' Kor shook his head. 'Pray, father, what am I to buy it with?' 'Come, come, that's nonsense.' 'Well, suppose Kor has his freedom,' he continued, as if talking to himself; 'all those who wear no beard will be above him.' 'Well,' I answered, 'shave your beard; that's easy enough.' 'Kor will be a trader all at once; won't he?' 'Well,' said I, 'you trade now.' 'Yes,' he replied; 'I sell a little oil, a little tar . . . . but . . . . pray, my father, would you like the horse to be put to the *telega*?' 'Come,' thought I, 'you can keep a silent tongue in your head;' but I answered, 'No; I am going in search of game early to-morrow, and will sleep in your barn.'

Kor was much less reserved the next day. We all breakfasted round the *Samovar*; his six tall sons and their wives came in and out; they all lived with him; they preferred it, he said. Kalinitch came to see his friend Kor, and brought him some wild strawberries on their stalks like a nosegay. I was struck with this little attention in a peasant. I stayed with them four days, and they both became quite friendly with me; their characters were so totally different that I had a pleasure in studying them. Kor was a practical man; Kalinitch full of imagination: he venerated his master; the former understood and judged him. Kor's information was extensive for his position, yet he could not read. Kalinitch could. 'He got it somewhere,' said Kor; 'but the fellow is lucky.' In conversing with him, I for the first time learned how to value the sensible and simple language of the Russian peasant: but, with all his sense, he was strongly imbued with the popular prejudices and superstitions of his country; he had a sovereign contempt for women, and did not spare them when he was in a merry mood. His wife was old and cross; she was always lying on the stove, and did nothing but grumble and scold and abuse every one. Her sons paid her not the least attention; but she kept her daughters-in-law in a state of fear and trembling; and I recognised in her the spirit of the old Russian song:

'What sort of a son are you to me?

What sort of a family chief will you be?

You don't beat your wife, you don't whip your child.'

I once tried to induce Kor to interfere in behalf of the poor creatures ; but he quietly said : ' What can possess you to think of such trifles ? Let the women quarrel, they are not worth meddling with.'

Sometimes the malignant old woman would descend from the stove, call the dog from the yard, and when the poor thing came, she would assail his thin ribs with an iron poker ; then she would go to the door and abuse the passers-by : this Kor called *barking*. It was curious to hear Kor and Kalinitch discuss M. Polonstchine : ' You shall not speak disparagingly of him,' Kalinitch would say. ' Why doesn't he buy boots for you ?' returned Kor. ' Pooh—boots ! I don't want boots ; I'm a peasant.' ' I too am a peasant ;' and Kor would thrust out his great thick boot. ' You ! yes ; but you are not one of us.' ' Well,' rejoined Kor, ' he might at least give you enough to buy *lapti*.' ' He pays for them.' ' Yes ; last year he deigned to give you six kopeks !' Kalinitch turned away with vexation, and Kor would shake with laughter."

We see from this sketch what a serf may do under the favourable circumstance of a good master ; it gives, too, a specimen of the devoted serf,—not the only one in the series. In another tale, a serf who has been beaten will not let his master be blamed, but vows he has deserved it.

The women seem to be turned into actual witches and furies by ill-treatment ; and harshness to quadrupeds, its natural consequence, seems to be a universal feature.

The twenty-first chapter contains the account of an *odnodvoretz*, which is the name given to men of old families who have fallen into poverty ; probably a rather numerous class in a country where property is equally divided amongst the sons.

Louka Petrovitch Övrianihof is about seventy : he is tall and looks intelligent, his deportment is dignified, his speech and walk are slow, he wears a large blue greatcoat buttoned up to the throat, Wellington boots with a tassel ; he is always very neat in his dress, which you may observe is nearly the same as that of a merchant ; his hands are white, soft, and well shaped ; he has a dignified and peaceful air, but a certain amount of indolence and obstinacy mingles with his integrity and good sense. Övrianihof may be thought to represent the ancient boyards of the time immediately preceding Peter the Great.

All his neighbours esteem the old man highly, and feel honoured by his acquaintance ; in his own class he is almost worshipped. It is rather difficult in general to distinguish an *odnodvoretz* from a peasant, for his household is often less comfortable than that of a serf ; his calves are ill fed, his horses can only just crawl, and are harnessed with ropes. Louka Petrovitch's establishment, however, was an exception : his house was neat and comfortable, his few servants were dressed in the



old Russian costume. He always called them his workmen, and they ploughed his land. He neither set up for a noble, nor gave himself any airs; he never forgot himself, and never took a higher place at the first offer, and he always rose when any one entered; but he had such a dignified air, and his politeness was so genuine, that he was involuntarily treated with respect.

He kept to old usages from habit: he disliked springs to a carriage, and drove in an old-fashioned *telega*. His driver, a youth in the old costume, sat respectfully by his side. He read none but books of piety; he received his visitors affably and courteously, but never prostrated himself as the lower classes are accustomed to do, nor loaded them with civilities and sweetmeats. He thought it sinful to sell corn. "It is the gift of Heaven," he would say. But in the scarcity of 1840 he distributed his corn amongst his neighbours, of whom he was the oracle and umpire.

"One day, as we were conversing, I said to him, 'Now, Louka Petrovitch, tell me frankly, were the old times better than ours?' 'In some respects they certainly were,' he answered; 'for instance, we all lived more quietly, and people were better off. This is true; and yet our times are best, and, by the grace of God, our children will be better off still.' 'Well, now, Louka Petrovitch, I expected to hear you hold forth in praise of former times.' 'No, I have no reason to praise them. I will give you an example. You are a seigneur, as was your late grandfather; and yet your power is much less, and you yourself are quite a different sort of man. No doubt we still have nobles who oppress us; I suppose it can't be helped; but by dint of grinding we shall get good flour at last. No, I shall never see again the things I saw in my youth.' 'What did you see?' 'Why, let us take as an instance your grandfather, whom I have just mentioned. He was a powerful man, and he did not spare us poor folk. Well, you know, or you might know, on your estate, the corner of land between Tchasslignino and Malinina, that now bears oats. Well, that is ours,—all that is our own. Your grandfather took it from us. One day, when he was riding, he stretched his hand out on that side and said, 'That belongs to me;' and it became his own. My late father (God rest his soul) was a good man, but passionate; he took this to heart,—one does not like to be robbed without resisting; he went to law and appealed to justice: but every one was frightened, not one would help him or appear as a witness. Your grandfather soon heard that Peter Ovrianiokof accused him of deigning to take his land; he immediately sent his huntsman, Bahouche, with his men to us. My father was seized, and carried off to your estate. I was then a little boy: I followed him barefooted. Do you know what happened? He was dragged under the windows of your house, and flogged under those very windows. Your grandfather stood in the balcony, looking at the execution of his orders; your grandmother was sitting at the window,

looking on too. My father cried out, "Marie Varilaona, mother, deign to intercede for me,—pray, take pity on me;" but she merely rose and went on looking. My father was forced to promise that he would never again lay claim to the property, and to give thanks that his life was spared. Ask your peasants what name that piece of land bears; it is called "the Cudgel," because by the cudgel it was acquired. You may perhaps understand now why small people like us cannot regret the old times.'

I knew not what to answer, and felt ashamed to look him in the face. He then related some feats of another neighbouring proprietor, who was a confirmed drunkard. 'In some of his drunken freaks he liked to see people dance; and he did *such* things! enough to make one carry the holy images out of the room. He half-killed the women servants of the house by making them dance and sing in chorus all night: those who sang loudest had a present; but when, from excess of fatigue, any one of them sang slower or in a weak voice, he would lean his head on his hand and moan, saying, "Poor orphan that I am, they neglect me; poor little pigeon that I am, they forsake me." Then the coachmen would be called in, to revive the flagging strength of the singers with their whips. This man had taken a fancy to my father; and would have been the death of him, if he had not luckily died himself by falling from the top of a turret. These are some of the things that our neighbours did.' 'Times are altered,' said I. 'Yes, yes,' answered he; 'yet one cannot but own that our nobles then kept up quite a different sort of state to what they do now. As to the great lords, there is no comparison. I used to see them at Moscow; but I am told that even at Moscow they no longer keep up the same grand state.' He then described the establishment of a well-known great personage at Moscow in the days of his youth.

'Yes,' he continued with a sigh, 'I have lived a long time, and the changes have been great, especially amongst the nobles. The small proprietors have gone into the army, or have travelled about. The larger ones are also much changed. I had an opportunity lately of seeing some of them, when they came to make the survey. I must confess to you that my heart rejoiced to see how much more affable and polite they have become: but one thing surprises me; they seem to know every thing; they speak with such fluency that it moves one to admiration; but when it comes to business, they do nothing but make blunders, and they don't even know what their own interests are. Generally their steward, a common serf, manages every thing his own way.'

The success of *The Russian Sportsman* was so complete in Paris, that two volumes by the same author were published in the latter part of 1858, under the title of *Scenes of Russian Life*. There is more story in these volumes than in the first work; yet they are not formed on the regular plan of our tales. They are, in fact, as their title indicates, scenes of Russian life, only this time drawn from the higher and more cultivated classes;

and with the exception of two remarkably clever tales, in which he returns to the serfs and his old manner, they are less exclusively Russian: the characters talk and write about themselves, their thoughts and feelings, and are inclined to be introspective. In this, as in every thing besides, they are a complete contrast to the serfs.

These volumes contain minutely-drawn pictures, taken from all grades of society; but more particularly from the class of persons who reside on their own estates in the country, and who correspond to our own country gentry. One scene in a dramatic form, called "the Bread of Dependence," presents us with a trait of Russian manners which probably existed in our own country some hundred years or so since, and of which the court-fool was a variety and last remnant,—we mean the impoverished gentleman who lives as parasite in a rich family. This character is introduced in several of the stories: he is not only a flatterer, but the buffoon and butt of the rich man and his friends. Ivan Tourgueneff, with his usual enlarged sympathies, has given something so touching to this pitiable character, that it may remain as a permanent type. The rest of Europe has no right to be severe on this barbarous taste of the Russians for a human plaything, when they remember Friedrich Wilhelm's delight in the same thing, and the way in which he used his courtiers. If this may be accounted for by the contiguity of Russia to Prussia, and the brutal character of Friedrich Wilhelm, we have only to call to mind the amusements of the elegant duke and duchess in *Don Quixote* at the expense of poor Sancho. This, too, was in the palmy days of Spain's civilisation. The ironical suggestion of Cervantes, that Sancho was but a peasant, and therefore much honoured in being allowed to amuse such great people in its literal sense, presents probably a true picture of the existing feeling of the times. A fragment, entitled "a Correspondence," contains some reflections which, as proceeding from a Russian in his own country, deserve attention; we therefore translate a page or two of it:

"For the first time I took a survey of my past life. Yes, there lay my youth spread out before me. It was not a cheerful spectacle. Great God, that I should have so wasted my life! I have now regained my senses, but it is too late. Have you ever saved a fly from a spider? if so, you have put it in the sun; its legs and wings are sticky. How awkwardly it crawls, and endeavours to get free from the glue that has been wound around it! It has escaped with life, indeed, but will never more rise lightly in the air, buzzing merrily in the sunbeams. And it was not the silly thing's own doing: but I—I was my own spider. Yet I must not be too severe on myself. Is the individual to bear the blame when a whole nation is in fault? We are not all equally guilty,

but we are all equally stricken. It is often said that every man makes his own destiny ;—that may be ; but the character of each individual goes to make up the national character, which falls like a heavy cloud upon him and becomes his fate. But the Russian who would be a man *must* make himself —‘there lies the rub ;’ he has no great motive *out* of himself,—no noble public interest to absorb his attention and his selfishness ; he must spend his energies in working on his individual self, and thus he sits kneading and patting his own mind. He has no exciting examples in the national traditions, no respect for the laws, no faith in the past, and no hope in the future. Each must *invent* his ideal for himself ; and in this self-contemplation he dwindles into nothing. One more useless being is added to our nation, whose genuineness is warped by want of freedom, who can never know the healthful joys of open exertion, nor the pains and triumphs of fighting for a conviction ; ignorant without innocence, old without prudence, and, worst of all, young without youth.”

The impression left on the mind after reading Ivan Tourgueneff’s works is of course a mixed one ; but is, on the whole, very favourable to the national character,—we mean that of the larger mass of the peasants. They submit with patience to their masters, they are kindly to one another, they bear no malice towards the higher classes, and have preserved the virtues of adversity through their years of probation. Fortitude, patience, humility, and above all, veneration, are their characteristics, and to this last quality they owe their preservation from vileness ; having accepted their position as the ordination of Providence, they consider their masters placed over them by God, and never seem to question their rights. This striking feature in their character is well brought out by Tourgueneff in his tale of “the Inn on the High-road.” Here the serf is sacrificed by his mistress in favour of another man ; but he only sees that she has a right to sell his inn, and his hatred is entirely bestowed on the purchaser. In these democratic days, some may term this a foolish superstition ; but none the less in that superstition we may clearly discern some of the highest qualities of human nature, which no institutions, however bad, can entirely destroy. If we deny this, may we not fall into as frightful a fatalism as either the Mahometans or the Calvinists ? Envy, conceit, and pride have always been common enough under a free government ; and if less despicable than the vices that slavery tends to foster, are not the less despicable enough ; and if we speak of the virtues that slavery has not obliterated, or of the vices that freedom has fostered, it is from no wish to undervalue freedom, but simply because it is important to recollect that no external system of government can absolutely determine, either for good or for ill, the moral freedom of man.

If we could suppose that human nature might either become entirely vitiated by the one government, or mechanically perfected under the other, where would be eternal justice? Cousin, the eloquent French thinker, who has helped so largely to drive materialism from France, once justly observed, "God has never entirely disinherited any portion of the human race." And is it not in favour of the freedom that is now hovering over wide Russia, that the poorest of her children are not entirely unworthy of it? In our own self-satisfaction, it may be good for us to examine if we do not sometimes make but a poor use of our blessings; and as a looking-glass in which to discern the spots on our faces, this picture of Russia, under circumstances so far less favourable to the growth of social virtues, may be useful even to Englishmen.

But to return to the peasant. This superstitious reverence for his master, is the effect of the admiring and trusting faculty; the object of it may be a mistaken one, but no human being is utterly debased who possesses faith—the belief in something higher than himself. Intelligent Russians, who have seen much of these classes, assure us that they now wait with a solemn and silent hope for the great deliverance,—that they all think of it, and well know what has been promised. We are assured by one who was living in the government of Orel, the very scene of most of Ivan Tourgueneff's experiences, when the late war began, that he had heard peasants say, "Perhaps the strangers may deliver us." The effect of slavery on the women, both as mistresses and slaves, seems to be worse than on the men; they appear to be in a lower position than with us, and what is worse, they deserve it, though the Russian authority above mentioned affirms that they are more high-minded than the men. Another trait worth observing in the *Russian Scenes* is the high value set on education. In the story called "the Miller's Wife," the miller buys her, and marries her, although her character is lost, because she can read and write. In "Kor and Kalinitch," the former speaks of the latter as a most lucky fellow because he can read. In "the Inn on the High-road," Akim, though a peasant-serf, is esteemed much above the others as he can read. In "the Two Friends," where the personages are both country-gentlemen, one of them tells his friend of his project of marrying; and the other opposes it, on the ground that the young lady is not his equal, having been brought up in a country village and having had no education like his own: yet her character and manners are excellent. The marriage turns out unhappily, on account of her possessing only household qualities, and their having no interests in common.

We have observed before that the Russian serfs resemble, in many particulars, our own countrymen of seven or eight hundred years ago; another point of likeness is their deep religious feeling, prompting long pilgrimages and solemn vows. An anecdote *à propos* of this was related to us by the Russian before mentioned, which strikes one as though a solemn and devout figure on a church-porch of the twelfth century should suddenly start into life, and step on to the platform of one of our noisy bustling railroads, emblems of the nineteenth century. A Russian lady came to France, and brought in her suite a young serf-girl. In the hurry and confusion of the railroad, she lost her mistress; her signs were unintelligible, she was utterly helpless, and could do nothing but weep. The station-master was very kind, and did all he could to comfort her; gave her food, and found her a lodging. After two or three days she was restored to her mistress; and in a transport of joy, she pronounced a solemn vow to God, "that whenever she should find a stranger in the same painful position in Russia, she would leave her family, her place, every thing, to devote herself to his service, out of gratitude for all the kindness that she had received."

We have dwelt chiefly on the serfs, as little was known of them in Europe till Ivan Tourgueneff introduced them to notice. His pictures of the higher classes are equally graphic and original; and they leave on the mind the same conviction with all other works\* on Russia, from Catherine's Memoirs, in 1759, to these tales in 1858,—that the higher classes will be the greatest gainers by emancipation,—that the despotism over them has been as grinding as theirs over the serfs. We will not enlarge on this despotism,—it is a trite subject; but will only say, it is impossible to suppose that such a change can be a solitary one.

Some of Tourgueneff's best sketches are those of the serfs who have become favourites by flattering their masters and administering to their whims and vices. It is, of course, only the vile and artful who reach this position; and they present one of the most odious features in Russian society. They are a combination of the American slave-driver and the ancient Roman freed slave, and are far more cruel to their former equals than the masters, whom they rule entirely. It is to be hoped that they may gradually disappear.

One of the most remarkable characteristics of the best and

\* Haxthausen is an exception; but, though his book contains much information, it must be borne in mind that he was sent to travel over Russia by the Emperor Nicholas for the purpose of writing a book; that he knew not a word of the language, and therefore the Emperor appointed two Russians to accompany him, between whom he was much in the position of a horse in blinkers.



most respectable portions of the Russian gentry is their entire want of self-government. It is difficult to believe how careless and incapable of managing their own affairs they are. " *Ils ne savent pas arranger leur vie,*" is a French expression which might have been made for them. This peculiarity, which has been noticed by all who have met with them in Europe, and which is not without a certain grace, however detrimental to the interests of its possessor, is very strikingly displayed in Ivan Tourgueneff's scenes. Alexis, from whose letters we gave an extract, describing the feelings of a Russian noble, has a correspondence with a charming girl, for whom he appears to feel the tenderest sentiments, and in a union with whom he would have found happiness. He writes to tell her of the day that he will set off to see her; but on the journey he meets accidentally with a friend, who takes him to the theatre; there he instantaneously falls in love with an opera-dancer of the lowest class; he follows her all over Europe, never even answers his betrothed Marie's last letter, destroys his constitution, and ends by dying at an inn at Dresden. This extreme want of reason and common sense appears quite natural to themselves, and to those who are acquainted with many Russians. In the most important pursuits they are turned aside from their purpose by the merest trifle.

In a story called *The Anchar*, one of these men without helm or compass, and a girl from Little Russia, a beautiful character, fall in love with each other; and the same infirmity of purpose destroys both. This is one of the tales in which Ivan Tourgueneff's wonderful power of *chiselling*, if we may so express it, the female character, is best displayed. The title of the story is taken from that of a poem by Pushkin called "The Anchar," a kind of upas-tree that bears poisonous fruit: even the French translation of this poem gives a wonderful idea of the power of the poet. Alexis' letter, mentioned above, is both an account and explanation of this wasting infirmity of character, and a Russian's view of the cause of it, is likely to be a more correct one than that of any foreigner. We refer those of our readers who may be anxious for more information on this interesting subject, to the works of this writer. A new story by him has just appeared at St. Petersburg, called *A Nest of Noblemen*, the translation of which by M. Delaveau, will be eagerly looked for by all who have read the previous volumes.

## ART. IX.—THE TRUE DIFFICULTIES OF THE ITALIAN QUESTION.

*Farini's History of Rome from 1815 to 1850.* 4 vols. London, 1851-1854.

*L'Empereur Napoléon III et l'Italie.* Paris, 1859.

*Farini's Letter to Lord John Russell.* Turin, 1859.

*Mazzini's Letter to the Italian Liberals.* London, 1859.

THE language of Signor Farini's letter, and the tone of the recent debates in the Sardinian Chambers, indicate so curious an inability, or so unhappy an indisposition, on the part of Italian liberals to understand the feelings and conduct of Englishmen at this critical conjuncture, and it seems to us so important to clear away these misconceptions, that we cannot better employ the short space allotted to us than in an attempt to lay plainly and unreservedly before our readers the true position of the various powers and peoples concerned in the discussion on which the eyes of all Europe are now turned, and which appears to be fast verging to an open rupture and a sanguinary conflict.

It is hard to have to choose between two great evils, and to steer our course amid circumstances so peculiar and so involved that it is impossible to pronounce any course at all to be either clearly right or obviously wise. Still harder, perhaps, is it to have to say to patriots whose cause is good, and whose sufferings are great, "Forego a tempting opportunity for the sake of an important principle; and refuse the aid which would probably enable you to cast off the yoke of old oppressors and hereditary enemies, because the hands that offer that aid are not clean, because the offer itself is not disinterested, and because the price which will be demanded in case of success will be such as no patriot ought to pay, or could in his cooler moments contemplate without a shudder." But the false step made or menaced by the Italians, and by the Piedmontese in particular, in conjunction with and under the influence of Louis Napoleon, have forced this language upon us; and it is important they should be assured that the apparently cold and unfriendly attitude of England at the present conjuncture indicates no diminution of our sympathy with Italy, but is a somewhat reluctant concession to the claims of prudence, justice, and public right.

We see the difficulties of Italians clearly: let them in turn endeavour to see ours likewise. If they had done so, Count Cavour would scarcely have made his speech, and Signor Farini would not have written his letter. It is clear to us, and has

always been so, that situated as Austria is in the north of Italy, and allied with her as all the Italian sovereigns save one are, either by interest or by affection, Italian independence can never be achieved without foreign aid.\* Austria is more than a match for the Italian patriots and the Sardinian army combined; and no war of emancipation in Naples, Romagna, Tuscany, and the Duchies, assisted by Sardinia, could be conceived which would not inevitably involve Austria as a principal,—nay more, which would not legitimately and of right involve her; since the Lombard and Venetian people would assuredly join the insurgents, and Lombardy and Venice belong to Austria,—and no one could say that Austria would not be justified in putting forth her whole strength to suppress rebellion, and defeat and crush the confederates and allies of rebels. On this account, we have always condemned the conduct of Mazzini in fomenting insurrections at moments when no European crisis or quarrel among the great powers opened an opportunity for striking a blow while Austria had her hands full elsewhere, or offered the Italians an ally capable of helping them to the consummation of their righteous hopes. It seems, therefore, at first sight, cruel and inconsistent to turn round upon them now when such an opportunity and such an ally are both come, and urge them to forego the promising occasion, and to decline the proffered aid. Yet a few moments' calm reflection might satisfy them that even this unpalatable advice is not only sound but friendly. For once Mazzini is right: the manifesto just issued to his partisans,—in part dictated by prejudice and passion as it may be,—is full of instinctive sagacity and common sense. No crusade of which Louis Napoleon is the instigator, and in which he would

\* This is clearly demonstrated in the imperial pamphlet placed at the head of this article, where the work to be done, and the means necessary for doing it, are estimated with an experienced military eye. "We lay it down as an axiom not to be disputed by any competent man, that even were all Italy revolutionised from the Gulf of Tarento to the Alps, the Austrian army might no doubt encounter partial checks and defeats, but that in the long-run it would always be able without difficulty to recover its hold on the Peninsula. Revolutions produce enthusiastic men; but they cannot create in a day either trained soldiers, a solid military organisation, or the immense material of war necessary to strive with a first-class power like Austria. Italy could not, unaided, maintain her independence unless she were able to bring into the field 200,000 disciplined troops, of whom 20,000 must be cavalry, 500 pieces of field artillery, and 200 pieces of siege artillery, which would require 50,000 draught horses. And ten years of a strong and energetic government would be needed to collect a military force like this." *Napoléon III.*, p. 42.

We cannot here avoid calling the attention of our readers to this remarkable production. It is one of the most statesmanlike manifestoes we have ever seen,—calm, closely reasoned, singularly comprehensive in its views, and, with scarcely an exception, accurate in its statements of facts. If the title and the source from which it emanated had not aroused suspicion, we incline to think that it would have been received throughout Europe as a most masterly and unanswerable document.

be the main actor, *can* be designed for, or is likely to result in, the establishment of Italian freedom. The French Emperor is not a man to give something for nothing: he sells, he does not bestow; and he has, as we are all aware, his own plans of dynastic aggrandisement and foreign domination. If the Sardinian minister and the Peninsular patriots fancy they can use French arms and Corsican craft for their own ends, and then overpower the one and outwit the other, so as to evade the expected and inevitable price of the assistance rendered, they must be vainer and shallower than we suppose. If they have bargained for that assistance, and intend to pay the price contracted for, their patriotism is less pure, and their passions are more shortsighted, than we had hoped. The temptation no doubt was great; but they ought to have had virtue enough, and above all, sense enough, to resist it. It is just possible, no doubt, that the yoke of France might be somewhat less galling and less heavy than that of Austria, because it would assuredly be more intelligent, and because also there is less intrinsic difference and less instinctive antipathy between Gauls and Italians than between Teutons and Italians; but for so small and so questionable an object as a change of foreign rulers, it is surely not worth while to bring the desolating scourge of war upon their beautiful cities and their fertile fields. The opportunity for which they might have waited, and which sooner or later would probably have occurred, was that of an attack by Austria upon Sardinian territory or Sardinian institutions; when the assailed party might have securely counted upon French aid, in conjunction with, and purified and kept in order by, that of England also. Austria, in the wrong, and opposed by France and England as well as by Sardinia and all Italian patriots in a mass, must have succumbed at once, and submitted to any terms the conquerors might have dictated; and as England would have desired nothing for herself, and could not have sanctioned the transfer of any portion of the spoil to France, there would have in all likelihood resulted such a permanent and righteous settlement of the Italian question as the war now menaced can never bring about, but will probably postpone for generations. In taking the attitude and holding the language we have done, therefore, we are not deserting the cause of Italian liberation, but only frowning on a false step meditated in its defence.

And now let us look for a moment at the position of Austria in this matter, which is as difficult and unhappy as the attitude she has assumed in defence of it is sensible and gallant. We are no partisans of Austria, as is well known; and her conduct both in Italy and Hungary, as well as her selfish and noxious behaviour during the Crimean war, has often called forth our

severest animadversions. Nevertheless, in the matter we are now considering, her case is one of difficulty and almost of hardship; and it is fit that we should endeavour to do justice to it: if we do not, we shall neither fully understand the crisis nor be qualified to deal with it. Her proceedings in Italy now and heretofore, oppressive, cruel, and fatal to the best interests of that unhappy land as they have uniformly been, are the logical and unavoidable consequences of her position there,—a position originally and inherently false. Her situation as ruler of Lombardy and Venice entails all the other sins laid to her charge; and yet her possession of those provinces is in point of legal right unassailable, and is guaranteed by the treaties of 1815, and by the recognised international law of Europe. *Herein lies the difficulty of the question and the danger of the crisis.* Lombardy fell to her partly by conquest, partly by inheritance and agreement, and has been hers for centuries; and Venice was guaranteed to her by the European Congress of Vienna. You cannot ask her or expect her to resign these rich possessions; yet unless she does this, she can do nothing permanently to pacify Italy, to satisfy Sardinia, or to silence France. Do not let us shirk this fact. Whatever patriots who love their native land, and lovers of abstract justice who think only of nationalities and individual claims, may urge, no statesman will be found to deny that the right of Austria to her Italian provinces is as valid and as good as the right of Sardinia to Genoa or Savoy. Since, then, Lombardy is hers, she is entitled to defend it against all assailants, and to govern it as she pleases. Her government—every where, and by its inherent genius—is despotic; a paternal despotism; and, like all paternal despotisms, mild and beneficent where loved and yielded to without recalcitration, as in Austria Proper and the Tyrol; crushing and relentless where hated and rebelled against, as in Italy and Hungary. No statesman will deny, therefore, her right to govern Lombardy autocratically. It is her will, her nature, her conscientious and unchangeable resolve to do so. Indeed, it is notorious that she could govern it in no other way; she can hold it no otherwise than by the sword. The people hate the Austrian government at Milan; not because it is a bad government, but because it is the government of foreigners. Were it the mildest and gentlest rule in the world,—and we all know that to govern gently or mildly hostile and irreconcilable subjects is a pure impossibility,—the Milanese and Venetians would be scarcely more content under its sway than they now are. They do not detest it because it is harsh; it is (and must be) harsh because they detest it. Let us never lose sight of this most material fact; and let us cease the idle mockery, so favourite a platitude among our statesmen,

of telling Austria "to govern well, and that then she will be in no danger." It is not true, and we know it is not true.

It being admitted, then, that Austria has a legitimate right,—as right is constituted and defined by European diplomacy and law,—to retain Lombardy, by force if necessary, and to govern it autocratically, since that is her creed and practice of government, she naturally infers that she has a right also to do whatever (*within the limits of international law and usage*) is indispensable to effect these objects. And it is not easy to affirm that treaties and agreements with contiguous states to aid her in these legitimate objects exceed those limits. It is as clear as the sun at noonday that Austria could not rule despotically in Lombardy,—it is clear that she could not continue to rule there at all,—if she were surrounded on all sides by states governed on popular principles and rejoicing in free institutions. It is natural, therefore, that she should desire the adjacent countries to be ruled by princes whose system of government is analogous to her own, and not in flagrant and disturbing contrast to it. Finding them well enough disposed to maintain such analogy,—finding them, indeed, in a relation to their subjects so similar to her own, that autocratic government is as indispensable to them as to herself,—it is natural that she should ask their aid and promise them her own in upholding such a system of administration in their respective dominions. Nor is it very easy to say, that in carrying this natural desire into action she is violating any clear principle of international law or usage. If, indeed, the Areopagus of European states had ever adopted the maxim or established the practice which this Review has always preached,—viz. that all interference between sovereigns and their subjects, whether in the cause of despotism or in the cause of freedom, should be denounced, prohibited, and put down,—the case would be very different. But England has never formally laid down or consistently enforced this principle; and it is abundantly obvious that neither France nor Austria has ever respected or embraced it; neither, therefore, is righteously entitled to appeal to it for the first time now. France interfered in Rome; and Austria interfered in Tuscany, Modena, and Naples. Moreover, the right of entering into treaties of amity and alliance offensive and defensive with neighbouring states has ever been held one of the indefeasible rights of every independent power, questionable by others only when no distinct and genuine personal interest of the contracting parties can be alleged as a reason, and when, therefore, hostile designs against others may fairly be inferred. Now these treaties between Austria and the minor Italian princes are obviously for the common interests of all, and indicate necessarily no sinister or aggressive intentions on the part



of any against foreign powers. On what recognised principle of European law, then, can Europe, or France, or Sardinia, demand their abrogation, or insist that the court of Vienna shall forego and renounce a privilege conceded as indisputable to every other state? And how can we expect her tamely to resign such native right when menaced at the point of the bayonet?

Again; it is plain that Austria could neither hold nor govern Lombardy without incessant rebellion, bloodily inaugurated and bloodily put down, if insurrections were to be constantly breaking out in Romagna, in Modena, or in Tuscany. A revolution in Rome would inevitably be followed in a few days by a successful or unsuccessful catastrophe at Milan. Would Austria, then, be so culpable in aiding the Pope to put down his insurrection before it led to hers? And, since useless bloodshed is always to be deprecated, is she so very culpable if she interposes beforehand to *prevent* what she might lawfully interpose to crush? If not, her occupation of the Legations is not without excuse, and is assuredly more warrantable than the French occupation of Rome. No one doubts that the *bonâ-fide* and permanent withdrawal of foreign troops would be the signal for an outbreak against the hated government of Rome,—certainly for the coercion or dismissal of the Pope, probably for much retributive bloodshed, well merited but still deplorable. Are we prepared to say that there shall *then* be no intervention? Must Austria wait till the flames reach her own dwelling?

“Tua res agitur paries cum proximus ardet.”

If, in the case supposed (*and certain*), there is to be intervention again, then surely it would be better to have no withdrawal. It is, moreover, notorious that the papal government is so wretchedly incapable that it can neither keep the peace, secure property, put down brigandage, nor control its own agents; and it is not very probable that the provisional government which would succeed it, in case of the retirement of the foreign troops, would, in the first instance at least, be much more competent. It would be almost certain that these disturbances would constitute so great a nuisance that neighbours would have an equitable right to interpose and crush such perilous and contagious disorders. But whatever line we take, either in argument or in action, do not let us lose sight of the point (which it is the especial object of this paper to urge), that to call upon Austria to abstain from all active interest in the affairs of extra-Lombard Italy is virtually to call upon her to abandon her Italian dominions altogether, or to hold them only by the tenure of a perpetual state of siege and bloody internecine strife. Those who talk of “settling the Italian question” by inducing

France and Austria to withdraw from the Roman States, *and to remain withdrawn*, are speaking ignorantly, thoughtlessly, or insincerely. Either the withdrawal would be a sham,—in which case it would have effected nothing; or it would be genuine and final,—in which case it would be followed by certain revolution, by the flight or dethronement of the Pope, and by the various political complications which such a catastrophe would entail.

We have dwelt upon the difficulties of Austria at this great length, because we think they have had the scantiest justice done them; but Rome, France, and Sardinia have their difficulties too, and difficulties of no trifling character. It is common cant to say, "The Pope may avert the menaced convulsion by granting free institutions to his people, and honestly engaging to govern well and in conformity with popular demands." The Pope can do nothing of the kind. Those who hold such language forget what the Pope is. He is the infallible head of the Catholic Church; he is *ex vi termini* an autocrat; his government is *ex hypothesi* a theocracy. Without abjuring his character and his functions, he could no more be the constitutional monarch of a parliamentary government than Mahomet or Moses; for a constitutional monarch must govern according to the will of his people, and not in obedience to the dictates of his own conscience or the decisions of his own judgment. Yet less than this would not meet the necessities of the case. Less than this would be an insult and a mockery. Less than this would afford the miserable Romans no relief and no security from the fearful, stupid, brutal misgovernment inseparable from ecclesiastical administration. The admission of laymen into high place would be nothing; for it might be made, and would be made, mere moonshine, since laymen may be found in scores as bad, as incapable, as ecclesiastical, as any priest. We have had proof enough how powerless are constitutional forms, what a delusion are even good laws, where there is no genuine *bond-fide* popular power to enforce the one and infuse life and truth into the other. Now this real popular power is precisely what the Pope *could* not concede without ceasing to be Pope, and becoming a mere spiritual pontiff without temporal authority or temporal dominion.\* And we have reason to know, more-

\* We cannot enter at any length into the proof of this position, nor is it necessary. We will only indicate two or three points, to bring the impossibility into full daylight. (1) The whole course of ecclesiastical sovereignty is based upon the *canon law*; the necessities of civil government, if justice is to be administered or liberty preserved, demand *common law*—the Code Napoléon, or some equivalent system. (2) The Inquisition must be abolished if the civil rights or the personal safety of Romans are to be secured. *Could* the Pope consent to the

over, that his mind is irrevocably made up on this subject, and that no considerations will induce him to give way. To call upon the Pope, then, to prevent revolution by granting free institutions, is as futile and as irrational as to call upon Austria to make herself loved in Lombardy by governing well.

The position of France, too, in this complicated matter is full of difficulties; and her case, were she candid in her statements and honest in her aims, would not be without its hardship likewise. Suppose for a moment the Emperor's intentions were as honourable and benevolent as his professions;—and we must, for the sake of argument and of clear vision, accept this supposition as a possibility, because the Emperor may find it prudent and necessary to contract his designs and proceedings within the limit of his professions, and then we should have a somewhat modified problem to deal with. Suppose, then, that the Emperor seriously desired, without any ulterior or sinister designs, to escape from a position which began in crime, which continued in degradation, which was always false, and which has now become intolerable. The nineteenth century has scarcely witnessed a blacker political iniquity than was committed by the French Republic when she crushed the Roman one,—when, having just discarded her own sovereign for comparatively slight offences, she forced back the pontiff upon his unwilling subjects, without any plea of special concern in the matter, and without any security against the tyranny and misgovernment so inevitable in the case of princes restored by foreign arms. This act, we must do Louis Napoleon the justice to remember, was Cavaignac's, and not his. Being there, however, he could neither withdraw with honour nor remain with credit or with usefulness. If he had withdrawn his troops without conditions, Austrian troops would instantly have filled their places, and that Austrian influence in Italy, which it was the especial purpose of the French expedition to countervail, would have been immeasurably strengthened and extended. If he had exacted as a condition of withdrawal that Austria should

extinction of this ancient ecclesiastical jurisdiction? and if not, he must have instruments to work it—judges, officers, and gaolers. Then what Roman would be safe for an hour against arbitrary punishment, nominally for ecclesiastical, really for political, offences? (3) What could a *constitutional* Pope do when placed in the dilemma which nearly killed Pio Nono in 1848, of being compelled as sovereign of the Roman state to declare war against his best friend and ally as supreme spiritual pontiff—Francis Joseph of Austria, the hero of the Concordat? Or when called upon as *prince* to aid and befriend the King of Sardinia, whom as *priest* he has excommunicated? (4) One of the earliest and most inevitable steps taken by a popular government to restore the finances must involve the taxation or sequestration of much church-property. Could the Pope sanction bills of this character?

abstain from intervention, the work of the expedition would have been undone, and the Pope would have been again dethroned and driven into exile. The Emperor was thus in a dilemma which left him utterly powerless to enforce upon the papal administration that decent and rational government which we believe he really wished to see established. The Pope saw his perplexity, and laughed at his remonstrances. For ten years he has borne the painful and disreputable position of being the supporter and enforcer of misgovernment and oppression;— he wishes to escape from it now, but without ludicrous failure or damaging humiliation. How is he to effect this object? We confess we do not see any way out of the difficulty without giving Austria a signal triumph; for, as we have already shown, it is idle to fancy either that the Pope has asked, or will ask, for the *bond-fide* withdrawal of both his protectors, or that Austria would honestly comply with such a request even if it were honestly made. Austria, we repeat, *cannot*, without suicidal weakness, concede the ostensible demands any more than the real pretensions of France; and she does not show the slightest intention of yielding a single point.

Finally, Sardinia, too, is in a difficult position; the difficulties of which, as in the case of France, are mainly, but not wholly, of her own causing. Her antecedents and her actual situation, her known wants and her avowed principles, have made her the leader and the hope of Italian liberation. Her statesmen have found it as difficult to contend against the patriotic impatience of the extreme radicals as against the papal and reactionary party in her own dominions. She must show sympathy with, and can scarcely refuse aid to, the hopes and movements of the patriots of the Peninsula, on pain of being denounced by them as a selfish alien or a secret enemy. She has long seen that Austria was strengthening herself on all sides of her, and watching with keen malignity for a plausible opportunity to strike. Under such circumstances, we cannot wonder that she should have been slow to discountenance or to break with the extreme Italian liberals, and somewhat foolishly and weakly eager to secure French assistance. We have no doubt that she has made a false step; but we cannot say that she was not under strong inducements to commit the error.

Moreover, according both to common sense and to diplomatic usage, she is as fully warranted in the demands she has made upon Austria, and appealed to Europe to enforce, as Austria is warranted, in the interest of her own system of government and of the security of her dominions, in declining to comply with those demands. Considering her Italian possessions only, and leaving out of view her German and Trans-

alpine provinces, which, in the eye of Italy, are *foreign*, and therefore irrelevant to the matter in dispute,—regarded as an *Italian* power only, Austria is neither so extensive, so important, nor so strong as Sardinia. Sardinia is therefore at least as much entitled to concern herself with the minor states of Italy, and to extend her influence over them, as Austria. The manner in which Austria has spread her diplomatic network over them all, occupied their territories, garrisoned their fortresses, overawed their councils, dictated their policy, acted in their name, is a legitimate ground of firm and spirited remonstrance, if not of active antagonism and hostility. Nay more, Sardinia may fairly allege that her free institutions are just as much endangered and impaired in their smooth working by the multiplication or maintenance of despotisms all around *her* as the arbitrary system of Lombardy would be by the establishment of popular governments around *it*; and that, in common justice and as a measure of obvious self-defence,—whether the right has been distinctly recognised at any European congress or not,—she is as well entitled to form alliances with Italian patriots for the prevention of the one danger as her rival is to form alliances with Italian princes in order to avert the other, or to demand from Austria that she, as well as Piedmont, shall abstain from such engagements.

Let us now sum up in one comprehensive view the whole of the “Italian question,” with its proposed or possible solutions.

The continuance of the *status quo* is impossible, because it is unjust. It is incompatible with the peace of Europe, with commercial confidence, with diplomatic comfort; because intelligent and civilised races will never submit to injustice without reclamation and resistance incessantly renewed. The entire history of Italy since 1815 shows this: we had rebellions there in 1821, rebellions in 1831, universal revolution in 1848, and countless *émeutes* and insurrections in intervening years before and since. With the single exception of Sardinia, in every state in the Peninsula the people and their rulers are unceasingly and irreconcilably at variance. Every where the sovereigns are maintained on their thrones, and the people are debarred from their civil rights and liberties, only by the bayonets of mercenary guards or by foreign troops actually resident or ready at a moment's notice. No one can deny that this is the state of things; no one can maintain that such a situation is endurable, or can be stable. How, then, is it to be rectified? By what means, and to what extent, shall the needful modifications be introduced?

The primal and indisputable causes of this impossible and immoral *status quo* are the position of Austria as foreign and detested possessor of Northern Italy, and the peculiar position of the Pope as temporal and yet theocratic sovereign. Short of the removal of these two causes,—short of the de-secularisation of the Roman Pontiff and the retirement of Austria from Lombardy and Venice (issues not yet faced by European statesmen, however ardently desired by sincere Catholics and earnest patriots),—can there be any real or permanent solution of the difficulty? We think we have shown in the foregoing pages that there cannot.

Is there any *mezzo-termine*? Obviously none,—none that would not be a sham, a blind, a hollow and dishonest compromise. Some politicians, indeed,—and among them we must reckon the men who sent Lord Cowley to Vienna,—with fortitude enough to endure any old evil, but without courage to embrace any new remedy, ever more disposed to fail by half-measures than to succeed by whole ones—have suggested that Austria should retire within the treaties of 1815, and retrace the forward steps she has taken since. But such a proceeding, while it would weaken her present commanding position in the Peninsula, would not meet the emergency nor satisfy her foes. It might for the moment silence the diplomatic demands of France and Sardinia, but only by placing Austria in a less favourable position to resist other demands which would speedily be made. It might baffle her rivals; it would not pacify her subjects, or her subjects' backers and allies. The same advisers suggest a sort of joint protectorate of Rome by all the great Powers of Europe; who should with one hand coerce the Pope into justice and good administration, and with the other keep down his people from enforcing their own rights. Do those who counsel England to sanction or participate in such a step remember the precedent of 1831? In that year, as now, the French and Austrian troops occupied Romagna. A rebellion, caused by the wretched mal-administration of the government, had broken out, and had been suppressed by foreign force. The Five Powers interposed, and jointly presented a "memorandum" to his Holiness, setting forth the concessions and securities for decent government and civil liberties which they considered it absolutely necessary he should grant to his subjects. Nothing could be more moderate,—we might almost say, more futilely feeble. *Not one of them was carried out*: the Pope bamboozled four of his protecting counsellors and disgusted the fifth; and our minister, Sir Hamilton Seymour, on retiring, sick and defeated, from the Conferences in September 1832, thus addressed his colleagues, setting forth:



"That the efforts made during more than a year and a half by the Five Powers to reestablish tranquillity in the Roman States have been useless ; that, further, no one of the recommendations made in the memorandum of 1831, to remedy the principal faults, had been accepted ; that the papal government, far from exerting itself to soothe the existing discontent, had aggravated it even since the negotiations ; and that accordingly no body of Swiss would suffice to maintain tranquillity, which must sooner or later be disturbed."\*

Are we going to play this miserable farce over again ?

The opinion of English statesmen as to the existence of any possible middle course for Austria was put on record in 1848. On the 29th of October in that year Lord Palmerston addressed to our ambassador at the court of Vienna a despatch, in which he declares,

"that Austria has no chance of being able to retain Northern Italy in any useful or permanent manner, the inhabitants of that country being so profoundly imbued with an invincible hatred of the Austrian army ; . . . . that it would be wise on the part of the Austrian government, in the interest of its own real strength, to liberate the Lombard and Venetian people from its dominion, which they must always consider as a yoke ; . . . . and that however well disposed her allies might be to aid her in case her righteous and legitimate existence in Germany were menaced, there prevailed on the subject of her pretensions to impose her yoke on Italy so universal a sentiment of injustice as would probably leave her almost without assistance in case of a war involving those pretensions."

It appears, then, to us clear and undeniable that neither England, France, Sardinia, nor the Italian patriots, can rationally be satisfied with any thing short of the two great conditions which we have specified above. We do not say that England has any title to propose such concessions to Austria or to the Pope ; we think it a thousand pities that she has meddled in the matter at all ; but we do say that, after what she has said and seen and done, she cannot with sincerity and dignity propose any less. For France and Sardinia to accept any thing short of these concessions, would be to admit discomfiture,—for any thing short that might be offered would be a notorious and insulting mockery ; but we are far from saying that, diplomatically, either of these powers has a right to ask these concessions. The Italian people, too, throughout the Peninsula, moderates as well as radicals, know well, and have all along proclaimed, the absurdity and duplicity of any middle course. But is there the slightest probability that Austria will agree to these concessions without a struggle ? Has she shown the faintest indi-

\* History of Rome, by Farini, vol. i. p. 121.

cations of any disposition to yield? Do we expect, or can we ask, her to give way to this unprecedented extent till she has been decidedly worsted in actual strife?

It is not necessary to assume that any of the parties involved are really anxious for war—bent upon it *à tout prix*. Granting even the contrary, it is impossible that any of them can draw back without obvious and damaging discomfiture. In plain truth, France and Italy are warranted in demanding what Austria is warranted in refusing. They cannot decently recede from a demand which, yet, Austria cannot dream of conceding without a departure from all her traditional policy, and a descent from her haughty and resolute position. What first-class power ever yet surrendered or liberated an extensive and valuable portion of her dominions—especially on the summons of other powers—without a desperate and dogged conflict? Finally, what probability is there that hot-blooded and sanguine Italians, with the hopes that have been sedulously roused and the provocations that are daily given, will long abstain from outbreak, even though emperors and ministers should implore them to be quiet? We fear the decision of the matter will be taken out of the hands of potentates: insurrections will occur; Sardinia *must* then give the aid which will be claimed, and which has been as good as promised; and France, on pain of recreancy and dishonour, must come to the rescue. Therefore, notwithstanding the hollow assurances and the feeble efforts of diplomatists, our expectations of a peaceful settlement of the crisis, so long preparing and so deliberately exasperated, are very faint, and are daily growing fainter. The matter may drag wearily on for some time longer; but postponement is not solution.

If, or when, the war breaks out, what should be the course of England? Obviously, and of necessity, *entire neutrality*. She is not a contiguous state; she has no individual interest in the dispute. Sardinia is not attacked, so cannot claim her aid. She has no quarrel with Austria, so cannot take part with her adversaries. She cannot aid Austria, both because Sardinia is more especially her ally, because her sympathies are all on the side of Italy and Italian freedom, and because, in the despatch we have already quoted, she has placed her honest sentiments on record. She must stand aside till the exhausted combatants are anxious for pacification, and ask her to suggest the terms for a final and complete solution of the question.

POSTSCRIPT. Since the above pages were in type, hopes of a pacific solution have been again excited in some minds by the tidings that Russia and England have proposed a European congress for the settlement of the Italian question, and that France

and Austria have accepted the proposal. Even if the news be confirmed in its full extent (which at the moment we write is still uncertain), we should be wholly unable to share the sanguine anticipations to which it has given rise. The consent to such a congress indicates nothing more to our minds than that both parties are willing to postpone the conflict, and anxious to seek occasion, by mutual apparent concessions, to place each other in the wrong, and to throw upon each other the reproach of disturbing the peace of Europe. Our reasons for this opinion may be briefly stated.

In the first place, there is not the slightest ground for supposing that such congress will be instructed or allowed to enter into the real, deep-seated, permanent causes of the Italian difficulty. The *Times*, in its first announcement, declared that Austria was willing to abrogate the special and secret treaties she may have with the minor Italian states, and to evacuate the Papal States conjointly with France:—nay, even to allow the French to return thither if disturbances should break out in consequence of the evacuation, and if the Pope should request their succour. This would of course go far, not, indeed, to satisfy Sardinia, but to silence France; for it concedes all French demands. But a day, or two after the *Mémorial Diplomatique*, an Austrian journal published in Paris, greatly modifies this statement, and declares that the court of Vienna has only consented to the congress on the specific understanding that it shall not question either the treaties of 1815 or the right of Austria to make whatever additional treaties she may please with surrounding states. It is evident that both these bases for congressional discussion would leave the real causes of the mischief wholly untouched. According to the first, the occupation of Romagna by foreign troops would continue, or be immediately renewed; and no provision whatever is made for terminating it; for if it is to be prolonged till the Pope adopts popular government, or is strong enough to maintain unpopular government without extraneous aid, it becomes indefinite, if not eternal. According to the second, the military occupation of Northern Italy by the Austrians, against the will of their subjects, is not even to be brought in question; yet while this continues, as we have shown, not only will Italy be in a ceaseless state of disturbance, but Austria will have to maintain there such overwhelming forces as will afford just ground for fear and umbrage to Sardinia. In short, a congress that is not prepared to discuss *ab initio* the two vital questions—of the Austrian possession of Lombardy, and the secular dominion of the Pope—can only meet for the idle and unworthy purpose of wasting a little more time, of prolonging the present wretched state of suspense, and of throwing a little more dust in the eyes of the public.

In the second place, a congress to discuss the complaints of Sardinia against Austria, in which Austria is to be represented and Sardinia is not, is at once futile and insulting. And a congress to settle the internal and international affairs of Central Italy, in which no Italian state is to have a voice, is not decent, and can never be satisfactory.

And, in the third place, the affair has grown out of diplomatic dimensions. As soon as it is made clear to the Italians that the great powers are endeavouring to evade war *and likely to succeed*, a revolution will break out,—probably in Tuscany; in which Sardinia inevitably and at once, and France secondarily, will be dragged in as principals.

Therefore we anticipate no good from the suggested congress, and we earnestly hope that England will be no party to it. And above all, we trust that such a timely expression of English opinion may take place as to prevent our ministers from committing themselves, *as we have reason to know they contemplate doing*, to the Austrian side of the dispute.

#### ART. X.—SCHLEIERMACHER'S LIFE AND TIMES.

*Aus Schleiermacher's Leben. In Briefen.* Berlin, 1858.—*Sketches of Schleiermacher's Life, from his Correspondence.* 8vo. 2 vols.

IT is not unusual with our German cousins to dignify Biography with the dilatoriness of History. They think it decorous to let nothing be said of an eminent man, more authentic than a funeral panegyric or a *Fackelzug* ode, till his generation sleeps around him, and his hand-writing becomes an orthographical curiosity. Returning from his grave, they lock up his desk, and put by the key till his grandchildren are grown up: and then at length, when his books have become classics and his personality a shadow, memorials are opened which define the human figure and give it the movement and the flush of life. Our English sympathies are more impatient at first,—perhaps less susceptible to posthumous appeal. We like to spend our love and honour at near view;—to hang up our portraits while the colours are yet fresh, and the costume not out of date. Arnold's Life was in our hands within two years of his death; Blanco White's, within four; Channing's, within six. But for Niebuhr's correspondence his countrymen had to wait some twenty years; Stein's has only recently appeared: and here, after a quarter-century, the interior is thrown open to us of a life which,

more perhaps than any other since the Reformation, has given its tincture to the future of Christianity. The delay, however, we must confess, is no disadvantage to the foreign reader, to whom time has placed Schleiermacher in nearer rather than in remoter relations, and rendered the scene and period of his activity more familiar than before. Names, places, and events,—opinions, books, and questions,—which had no meaning for our fathers, have emerged into the light for us. By dint of much labour and the reiterated assurances of Mrs. Austin and Mr. Carlyle, every Englishman is enabled, when Germany is mentioned, to think of something else than King Frederick's cocked-hat, or Queen Charlotte's snuff, or Prince Hohenlohe's miracles: he has discovered for some time that the language can really be pronounced and even sung: he has caught glimpses of a spiritual life behind Hessian troopers and Bavarian beer; and enters not quite as a stranger the circle to which these volumes introduce him, from Moses Mendelsohn and Kant to Arndt and Twisten. The book is essentially autobiographical in its effect. There are scarcely any letters but Schleiermacher's own and those of a few almost domestic friends. But as he was in contact with all that was highest in the life of his time, we have sketches,—often slight indeed, but taken on the spot,—of the chief poets, critics, and philosophers of the most brilliant German age. Whoever cares for the literary feuds which transferred the sceptre from Nicolai to the Schlegels, till it rested in Goethe's royal hands;—or for the surprises of speculation whereby the universe, at the bidding of Fichte, Schelling, and Hegel, several times disappeared or changed its dress;—or for the patriotic struggles which worked through the night of Napoleonic despotism, cheered by the songs of Arndt and ready with the arms of Scharnhorst;—will here find words out of the very heart of all this life, and stand in the midst of its laughter and its grief. And it is through no dim or incompetent eye that he looks at it all: in assuming Schleiermacher's vision, he has the benefit of no ordinary medium;—of a discernment keen and wide,—a judgment considerate and calm,—a feeling lofty and tender.

The greatness of Schleiermacher as a theologian arises less from any specific force of genius than from the compass and balance of his mind. His intellectual appetite was omnivorous: and he early complains of his too impartial susceptibility towards all liberal pursuits. One only stipulation does his feeling require. They must not be merely technical and formal, but touched with some living interest human or divine. The natural sciences, as opening glimpses into the method of the universe;—philology, as putting the very fibres and circulation of human thought under

the microscope;—history, as manifesting the moral organism of the world;—philosophy, as the struggle of finite mind with problems of the infinite;—divinity, as the systematised record and interpretation of the religious consciousness in man;—all attracted him with equal and constant power, and drew from him specimens of masterly criticism, if not of original research. His Greek scholarship was not his strongest point: but one who is called by Immanuel Bekker “Platonis Restitutor,” and whose work upon this field is defended by Boeckh against all impugnors, cannot stand far below the highest rank of contemporary Grecians. He emphatically disclaimed all pretensions to philosophical speculation: yet no one can study his *Survey of Ethics* without admiration, both of its acuteness in detail and of the commanding vastness of its view over the whole. In biblical criticism, in church history, in interpretation of doctrine, he has since been surpassed:—but it is by his own pupils, under the impulse of his spirit and in the development of his method: nor is it too much to say that his *Program of Theological Studies*, and his still more remarkable *Glaubens-Lehre*, have permanently altered the whole configuration of scientific discipline for the Protestant divine. It is less, however, the completeness of his intellectual accomplishments than the interfusion through it all of a paramount religious feeling, that determined the form of his theology, by giving it an inner centre, whence it worked creatively outwards in all directions and compelled the whole matter of thought and knowledge to feel the pulsations of a common heart. The two extremes of the previous period,—its mechanical orthodoxy and its deistical rationalism,—marvellously disappear in him:—not that he destroys them by refutation:—not that he patches up an eclectic peace between them:—but their withered fruits seem to drop upon a fresh soil in him, and produce a living growth entirely new, where old truths carry a young sap and reputed negations break into bloom. Looking on the religious consciousness of mankind as the mirror in which Divine truth is reflected, and on the spiritual experience of Christendom in particular as its perfect and final revelation, he regards it as the function of theology to apprehend and interpret the essential Christian feeling, to clear it of its accidental admixtures, and exhibit it in its originality and catholicity. The sense of sin, the thirst for redemption, the recognition of Christ as uniting and reconciling the human and the Divine, constitute the characteristics, and supply the test, of a true disciple's faith: and every thing beyond this,—all conceptions and doctrines which have hung round this central consciousness as its pictorial or dogmatic dress,—must be regarded as open to criticism and change. By the use



of this criterion he obtained room for the free action of historical and biblical criticism, and remained tranquil at his point of refuge, whatever altered aspect might be given to external facts or church opinions. Not only were such ecclesiastical articles of belief as the doctrines of the Trinity, the vicarious satisfaction of Christ and his personal preëxistence, relegated to the list of "open questions;" but the New Testament writings themselves, as mixed products of the new grace and the old nature, are resolved into their permanent and their accidental elements; the former most richly found in the spiritual Christ of the Johannine gospel; the latter comprising whatever is Judaic and Messianic, with many of the special narratives, as of the birth, the ascension, and some of the intervening miracles of Christ. He thus withdrew the Christian faith to a shelter of inward reverence, out of the shifting currents of philosophical or historical opinion: and remained at peace in it, while others were drifting they knew not whither, or vainly protesting that there was no tide at all. In this course he was singularly faithful to a true and noble instinct. He profoundly felt that the Christian view of life and type of piety had their own intrinsic vindications, and were contingent on no undetermined authority. To render the consciousness of them clear was to reach their eternal root. They had become variously entangled with metaphysical, scientific, and antiquarian judgments, which had no plea of exemption from revision, and were fast betraying their transiency. He was far above the stupid impiety of intellectual fear on God's behalf. Let philosophy, let criticism, move freely on their way, and all that they find be welcome. That consciousness of God which it is not theirs to reach can look forth on any world they may spread around it, and give it the tincture of Christian consecration. Such was Schleiermacher's point of view,—surely devout and wise and generous. We are far from saying that Christian theology can be permanently sequestered, as it is in his scheme, from the problems either of speculative thought or of historical research. Having an all-comprehensive sympathy, it will inevitably reinvest itself with both. But there are times,—and such is the age yet unexpired,—when, in order to snatch it from fermenting storms and leave them to sweep on their purifying way, it is kindly recalled to the sheltered oratory of the inward life.

It is not our intention, however, to attempt any report or critique of Schleiermacher's system. Our concern is not with his treatises as exhibiting his doctrine, but with his private letters as revealing the man. The few words we have said respecting his characteristics are prefixed only as the portrait of his person is prefixed to the volumes before us; that the reader

may not be without some image of the form into which the growing features set, and may feel upon him the clear mild eye that looks so ready for the tear either of pity or of prayer.

Friedrich Daniel Ernst Schleiermacher, born at Breslau in 1768,\* was second child and oldest son of a poor army-chaplain in Silesia, belonging not to the Lutheran but to the Reformed (or Calvinistic) communion. Some pleasant womanly letters of his mother's to her brother, Pastor Stubenrauch of Halle, show the interior of a frugal pious home, and of a lively, somewhat unmanageable nursery; in which a weakly, anxious, fretful girl,—the good Charlotte to be so loved and cared for by and by,—and the tiny Fritz, getting all his accomplishments, speaking, reading, thinking, before the time,—and the lout Carl, penetrable only by the rod,—got through the hours together as they could. Of the father, absent on his itinerant duties for months at a time, we hear little for a while: the most conspicuous effect of his existence being a brief fluster through the house on his return of vigorous sewing and washing and gossiping up the long arrears of home and field experience. The burden of the education fell upon the mother; whose chief joy, it is evident, is in Fritz's quick mind and susceptible heart. In fact, he is rather *too* good and clever: for two whole years at Breslau school, he gets nothing but first-rate tickets, with the exception of one "pretty well:" and in so small a boy all this popularity begins to tell unfavourably upon his morals: he grows somewhat proud and uppish, and disappoints occasionally the mother's dream of a little Samuel. Fear not, gentle mother: the grace thou prayest for him shall flow upon him through thyself,—now through thy reverent ways and loving words, and then through thy silent image when thou canst speak with him no more. In addition to the check at home, his incipient conceit was soon pulled down by experience of a higher school. On removal of the family to Pless, on the borders of Galicia, he had two years' discipline under a pupil of Ernesti's, and found his faculties tasked and his emulation awakened by contact with real scholarship. But he was snatched from this advantage by another shifting of the domestic camp,—this time into a rural district, where no disciple of Ernesti had penetrated. For a year the boy of fourteen got what he could out of his father's spare time; and something, probably much more considerable, from the home store of books, which far exceeded, we regret to say, the resources of the army-chaplain's pay, and burdened him with debts for the rest of his life. It was necessary, however, to put an end to this pædagogic inter-

\* We observe that the date of Schleiermacher's birth is erroneously given as 1787 in Bunsen's *Gott in der Geschichte*, part iii. p. 287. We take the liberty of pointing out the error for correction in a future edition.

regnum: the parents, anxious above all things to screen their children from the approaches of an unbelieving world, pay an exploratory visit to the Moravian brotherhood at Bertelsdorf at the time of their annual meeting: and being delighted with the spectacle of a purity and piety so rare, they leave all three children behind them to be entered in the schools at Niesky. In that pleasant Lusatian country, the young Fritz was to spend two of the most fruitful years of his life: insatiably drinking from the fountains of ancient literature and history; locked in closest friendship with his companion Albertini, afterwards Episcopus of the fraternity; imbibing health from the pure air of the hills and rambles over red-brown fallows or swelling harvest-fields; transported into marvellous deeps by the musical worship of the brotherhood in the great festivals of the Christian year; yet withal, conscious from the first of a certain incipient shadow which was to darken into sad eclipse ere his soul could be left in a heaven clear and bright.

Though the vow of the United Brethren binds them only to mutual love and a common life of apostolic simplicity,—though it professedly recognises as the basis of union nothing but the universal Christian faith,—the interpretation practically put upon this Catholic pretension may be conjectured from the entire satisfaction it afforded to the “Reformed” army-chaplain and his wife. In fact he found them no otherwise distinguished in belief from the communion familiar to him, than by the intense sincerity and thoroughness with which they realised and lived upon their doctrines. The utterness of human corruption and natural certainty of endless perdition,—the absolute cleansing of the curse away by the satisfying blood of God the Son,—the need of supernatural conversion in order to appropriate this redemption by faith,—the demand of vivid evidence in the *consciousness*, by a series of passionate experiences and novel affections, that this grace has passed upon the believer;—all these conceptions are presented in their hymns, their worship, their daily speech, with an unshrinking baldness which excludes compromise or escape. Minds too calm to catch the contagious flame, too clear to fancy it, too veracious to pretend it, must remain sorrowfully apart, long reproaching their insensibility ere they venture to suspect the delusion. Upon the young Schleiermacher, susceptible as he was of religious impression, the strain was too great. Already when a child of eleven years, he had pondered with anxious puzzle what he heard about endless punishments and the mode of rescue from them. At thirteen he laments to his mother that he has yet no consciousness of Christ's love and grace; which she attributes to his aiming so conscientiously at his own improvement! During the week's

preliminary visit to Bertelsdorf, he suffered great solicitude from the same cause; never questioning the depravity of his nature, but in no way assured of the supernatural grace of which he heard so much. His self-distrust, however, made him only the more eager to enter so holy a community, where surely, if any where, the dew would fall upon his heart. For a while the new life seems to have been so helpful to him as to suspend any morbid action that had begun. His letters to his sister, who had been received into community at Gnadenfrei simultaneously with himself at Niesky, are very religious without apparent constraint or sadness: and it is only towards the end of his school-days that his father has to answer his renewed self-accusations of unregenerate coldness towards the Saviour. The fiery trial had but smouldered: and was to burst out in all its fierceness at the next stage of his career. At the age of seventeen he and Albertini (Pylades and Orestes as they were called) were entered as students at the Seminary of Barby near Magdeburg—the University of the Herrnhüter: and, in spite of voracious reading, rather indeed in consequence of a mental activity beyond the resources of the institution,—the religious spectre returned in more definite shape. His uncle Stubenrauch's residence at Halle seems to call up visionary possibilities of a real University course, whose object shall be not faith but sight, and which may help him through his doubts and scruples. He complains to his father that he has no chance where he is of becoming a thorough theologian; that in the exegetical classroom the students hear nothing of the objections to the received system, and have no means of comparing the modes of thought which notoriously divide Christendom; and that this unworthy exclusiveness disturbs his trust. It is plain he was not exigent: a modest amount of sympathy would have answered his present need. But the army-chaplain knew nothing better than his usual dogmatic drill; and sharply bid him "beware of the tree of knowledge," keep clear of vain objectors, be assured that the Bible was an inexhaustible cyclopædia, and remember that faith was the Godhead's royal due. The cup could hold no more: and the bitterness of the youth's heart overflowed at last in a confession full of sweetness and reverence, but clear, dignified, and firm. In the course of it (in a letter of 21st Jan. 1787) he says:

"I confessed to you in my last letter my dissatisfaction with the limited scope of my position here; I pointed out the facilities it gave to religious doubts, which in our times are so apt to arise among young people: and I thought in this way to prepare you for the intelligence that such had become my case. But I failed to do so. You conceived that your reply had set me at rest: and I held my peace in

a way I cannot justify for six whole months, because I could not find it in my heart to undeceive you. Faith, you say, is the Godhead's royal due. Oh, best of fathers, if you believe that without this faith there can be no blessedness, not at least salvation in the other life, and no peace in this,—if such indeed is your belief, oh! implore God to give it me: for as it is, I have lost it. I cannot believe that he who called himself only the Son of Man was the true, eternal God. I cannot believe that his death was a vicarious atonement; because he never expressly said so himself; and because I cannot believe it to have been necessary: for it is impossible that God, who has evidently created men not for perfection but for the pursuit of it, should will their eternal punishment for not attaining it. Oh, best of fathers, the deep and penetrating suffering with which I write this letter will not allow me to recite in detail the history of my soul in regard to my opinions and all the strong grounds I have for them: but I entreat you urgently, regard them not as transient thoughts without deep root. For nearly a year has their hold on me been what it is: and it is not without long tension of reflection that I have adopted them. I pray you, keep not back from me your strongest counter-reasons: but, let me honestly confess, I do not expect that you will convince me at present, for I feel my position fixed" (vol. i. p. 45).

He proceeds to discuss his altered future; begging in any case for two years, under direction of his uncle at Halle; expressing a willingness to prepare himself for any profession, including that of a schoolmaster, that may be assigned to him; but avowing his strong preference for the continued study of theology, were it not perhaps too much to expect his father's aid in giving another heterodox teacher to his native land.

What might have been the reception of this communication had it fallen into the good mother's hands, can only be conjectured. Doubtless, she believed the creeds at least as devoutly as her husband, and had no glimmering of any new lights. But orthodoxy is human and precarious; love, divine and persistent: and when they try an issue together, there is no end to the gracious ingenuities which slip through every damnatory plea and win a gentle verdict. She had been, however, now these three years where, it may be hoped, heavenly things cast no troubled shadows, and the Holy Spirit blows up no storms. Left to his own wisdom in this emergency, the army-chaplain rushes at his heretical son with reproaches for sending an affliction into heaven and disturbing the mother's everlasting peace:—there can be no doubt of it, since even the stepmother (for the father has now another wife) has had a crying-fit about his heresies. "O you fool of a son!"—begins the paternal letter,— "who has bewitched you that you obey not the truth? Jesus Christ was set before your face, and now you crucify him." And in the same style of cruel insult, paragraph after paragraph

proceeds. The youth is upbraided with the religious solicitudes his tender conscience had so often felt, and told that they came from the same corruption of heart which has now leavened the whole lump of him with unbelief. Let him begone into the vain world whose honours he covets, and see whether he can live upon its husks. He talks about his "reasons" being "strong:" Pshaw! it is his pride and self-will that are strong indeed: his objections are what a child could overthrow. To this puerile task, accordingly, the army-chaplain condescendingly addresses himself with success not brilliant, we should think, in his own eyes, and altogether ineffectual upon his son. A sadder effusion of helpless orthodoxy and irritated affection (for affection, of the "Reformed" type, there still is), it would be difficult to find than this letter. There is acid in it for every open wound: and that Fritz could ever recover from the anguish it inflicted and persevere in his filial reverence, shows what balm there was in his genial nature. The advent of better days was materially aided by Uncle Stubenrauch; who now proves himself a wise and sympathising counsellor, manifestly moved towards the youth, yet influential with the father, and able, by his residence at Halle, to facilitate the next step, and offer in his house a poor scholar's chamber for the Moravian exile. To Halle accordingly the young heretic goes;—somewhat precipitately at last: for having confided to his religious guides at Barby the tattered condition of his belief, he finds that their brotherly love cannot hold out beyond Easter,—that he must spend the intervening weeks in spiritual quarantine, and then be finally removed beyond their borders as a poisoned "vessel."

And so, repelled by all who had cherished him, cast out with the mark of Cain upon him, he turns his face towards a city of strangers, and quits the scenes where chiefly his nature had struck root. Eighteen years afterwards (April 1805) he revisited the spot to which he had bid this desolate adieu. It was at the very date of his expulsion,—the Easter Festival of Immortality, which he had been deemed unworthy to share. The first sight of the familiar place and ways opened every spring of tenderness again, and the bitterness seemed all forgot: for his heart was a kindly and mellow soil; and the melancholy rain of the darkest experience sank gently in, only to become the sap of some green life. His account of this visit occurs in a letter of birth-day remembrance to a lady-friend, who had spent the day at the bed-side of one of her children drooping towards death:

"I was not aware, dear friend, that your birth-day fell on Easter Tuesday: but my thoughts were particularly full of you on my solitary



way. For, do you know, I have been spending my Easter with the Brotherhood at Barby : a fine and holy time of it I have had, days full of notable memories and delightful present experience. Barby was formerly the seat of the Seminary or University of the Brotherhood, whence I took my leave of them and came hither to Halle, now eighteen years ago. At present Barby is the seat of the Brotherhood's Institute, previously in Lusatia, for the higher education of boys, to which I was committed by my father two-and-twenty years ago, and where, under guidance of a genuine inward impulse, I entered into membership myself. So that Barby most vividly recalled to me at once the beginning and the end of my Herrnhütist career. The old Rector too of the Institute, from whom I first learned Greek and Hebrew, and who distinguished me, as long as I was under him, by quite a father's love, I found still living, an old man of seventy-seven years, bright and active, and most heartily glad to see me again. Then there were the glorious services on Good Friday,—a public reading of the history of the Saviour's Passion, with pauses of fine expressive Church music and a few verses from hymns, and no discourse, but only just at the end, and at the very death-hour of Christ, a powerful prayer proceeding altogether on the great idea of the atonement. On the Saturday is the Love-feast at the sepulchre of Christ : and at sunrise on Easter morning the festival of the Resurrection in the churchyard. In truth, dear Charlotte, nowhere through the whole Christendom of our time is there any public worship more worthily expressing genuine Christian piety, and more sure to kindle it, than this of the Herrnhüter. And whilst lost in depths of heavenly faith and love, I could not help profoundly feeling how far inferior is our service, in which the wretched sermon is every thing ; and this, under paltry restraints of form and subserviency to every turn of the times, and so rarely animated by the real living spirit. It will now soon devolve upon me to institute here [*i. e.* at Halle] a public worship, which is to serve as an incitement and model to many new generations of religious teachers distributing themselves far and wide. But how unhappily limited am I in my means ! and how deeply do I deplore it, that I cannot bring home hither the best and finest elements of the Moravian worship ! There was another delightful privilege I might have had, if I had ventured to ask it. They would not have refused me participation of the Lord's Supper with the brotherhood : but I was unwilling to request what is not strictly consistent with rule. It is the only place where there is a real celebration of the Lord's Supper. By Easter Monday I was already on my road back and half way home, and my old Rector escorted me a long way out of town. Next morning as I walked briskly in splendid weather, with my knapsack-porter always lagging and panting behind, memories of the days past shaped themselves into the fairest pictures within me, with the most affectionate yearnings after you all, my precious friends. It was as if, in my forsaken condition in the world, cut off from those who constitute the truest Christian communion in visible existence, a consolation came to me from the scattered invisible Church to which I belong, from the spirit we have in common, from our piety, our love. Do you not feel,

Charlotte, how specially I dedicated the day to you,—you, the purest, the holiest of us all?" (vol. ii. p. 21.)

From the midst of his ripest honours, indeed, he never ceased to turn a grateful eye upon these secluded years, "in which his thought and life achieved, at the cost of banishment, their freedom from the bondage of the letter." His sister remained in residence among the Herrnhüter for nearly thirty years after his departure: and during a visit to her in Lusatia, he writes:

"I am truly happy here with a dearly loved sister, in a glorious country, amid the wonder-moving impressions of an earlier stage of life. There is no place so favourable as this to lively reminiscence of my whole spiritual course, from the first higher awakening to the point at which I now stand. Here it was that my first consciousness arose of the relation of man to a higher world: on a small scale, it is true; just as spirits, they say, often make their apparition as children and dwarfs; spirits, however, they are, and for the essence of the thing it is all one. Here was the first unfolding in me of the mystic sentiment which so belongs to my nature, and which has upheld and saved me amid all the storms of scepticism. At that time it appeared in the germ: now it has attained its form; and I may say that I end with becoming a Herrnhüter again, only of a higher order. You can imagine the 'lively life' in my own thoughts that I am having here" (vol. i. p. 308).

Such was the life-long return which his heart made to the place that had excommunicated him:—in fair compliance, he should say, with the injunction,—*"Bless them that persecute you."* With very meagre outfit, with shirts too easily counted, and broadcloth consciously threadbare, he arrives at Halle, and takes his place among larger and bolder men at the desks of the theological auditoria. His father, who had so dreaded for him the worldly influences of the place, prudently makes the best of what is not to be helped; urges him to lose no time in mastering the English and French languages, that he may be recommendable "to some distinguished family;" and particularly counsels him to stick close to a certain young nobleman (of perfectly uncongenial habits) then at college, and in doing so to *beware of pride, and pay him the homage due to his rank*. Such advice Fritz parries with much modest self-respect, steadily excusing himself from applying artificial force to the natural affinities. Of that desirable young nobleman we hear one thing more;—that he refused to nominate Fritz to a schoolmastership in Breslau, on the ground that he was not half *big* enough! So ended the paternal hopes in that quarter.

In fact, the college period once over (of which scarce any memorials remain), the family problem,—what was to be done with Fritz,—became rather serious. The "English and French

languages" were ready: but the "distinguished family" did not appear above the horizon. There were pickings of work for poor and finished scholars at Halle: but these all went to the Lutherans, and Fritz meant to hold by the "Reformed." He was inwardly ripe for his examination at the threshold of the Church: but was outwardly short of the indispensable mileage to Berlin, and of clothes becoming so solemn an occasion and so dignified a presence as that of Examiner, Hofprediger, Consistorialrath Sack. This last measure, however, is successfully brought to pass in May 1790, after a year's residence as guest with Uncle Stubenrauch, now removed to Drossen (near Frankfurt on the Oder): with the further result too of the real discovery, through Sack's patronage, of a "distinguished family" that will accept him as tutor. No less a person than Count Dohna commits his children to the care of the young licentiate; who accordingly disappears for awhile from the accustomed regions, and turns up in the dismal trans-Pomeranian Prussia, on the Dohna estates of Schlobitten and Finkenstein, and occasionally in the streets of Königsberg, anxious to find the house of an old gentleman named Immanuel Kant. In spite of intellectual solitude, of scanty book-supply, and purse uncomfortably light, he spent there three not unfruitful years. The affectionate, pious, domestic life of a refined and noble house gave him many new experiences; and, falling in also with his first preaching, it was far better, he confesses, for heart and character than the dry learning and cold theology and critical indifference of Berlin. *There* it was, as he thought, that the pale student mind in him became first suffused with the colouring of some Art-feeling and the glow of self-opening affections. He took thither all his negative rectitudes,—his abhorrence of the false, the vulgar, the incomplete: he brought thence his more genial heart for the true, the pure, the beautiful. Especially did he owe this to the eldest daughter of the family,—a pupil so blending intellectual aptitudes with graces natural and moral as to open to him a new conception of feminine excellence. What debt Frederike, in her turn, owed to him was never known: for in ten years the mutual account passed with the poor child into eternity, and the record of only the tutor's gratitude remains. Her brothers, however, grew up with warm attachment to him; never lost an opportunity in after years of carrying him off from his work for a week's visit to the family domain; and brought a clatter of smart officers about his lodgings whenever their military duties took them to Berlin. The relation of the tutor to the elders had not been without an occasional cloud, and in fact ended in a kind of storm. Hints are dropped, that the Countess was capable of blundering, in the children's les-

sons, over a Latin word,—to the amusement probably of the saucy boys; and that the tutor, when invoked, and obliged to compromise either mamma's Latinity or his own, had felt constrained to uphold the authority of the grammars in current use. His quiet judgment and self-respect, in always requiring trust where he was to have responsibility, secured the permanent regard of both the parents: though some hasty words of the Count, when unable to carry what the tutor disapproved, threw Schleiermacher on the world again. In breaking up to depart, he is astonished to find how many there are in the country all round that seem to love him: and as he trundled in the Postwagen out of those dreary Baltic levels, he left on them a light of kindly humanities which they never lost.

Meanwhile, an extraordinary change had been long observable in the tone of the army-chaplain's correspondence. It is no longer in the style of the Commination service. It is no longer scorched with fanatic fires, or blotted with bitter tears. It drops into speedy silence about Fritz's heresies, and sustains a wonderful cheerfulness under the prospect of his perdition. It begins to show, by other evidences than unpaid booksellers' bills, that there is a literary side to him. He wants his son's opinion about all sorts of books; especially about the new *Kritik aller Offenbarung*, which he half-attributes to Kant; and would like to hear something of it direct from Königsberg. It is evident that the *Critical Philosophy* is in high favour with him; and we soon find him expressing surprise at the bigotry which can shrink from the *Religion within the Limits of Reason*, or cast an unkindly look on the "good old moral philosopher, whose excellent spirit is conspicuous in all his works." In criticising Fritz's sermons, sent to him for the purpose, he holds up *Blair* as a perfect model. He recommends the careful study of Lessing's *Education of the Human Race*, of Gibbon's *Decline and Fall*, of Hemsterhuis, and Lord Bacon. And all this from the man who the other day insisted that the Bible was an inexhaustible cyclopædia, beyond which it was fatal to go! who denounced poor Fritz's latitudinarian curiosity as the expression of hopeless corruption, and scourged his "strong reasons" out upon the world with all the scorpions of the "evangelical" vocabulary! What can have come to him? Has he silently repented,—gone to school again with his son;—and in his latter days opened into sympathy with the young man's heresies? Alas! the explanation is less honourable to his conscience and his heart: and we quote with shame the following astounding confession:

"I could wish, my dear son, that you would read and ponder Lessing's *Education of the Human Race*: you would gain from it luminous

ideas on various matters much in dispute of late. And I will further suggest for your consideration whether my own course presents an example worthy of your imitation. For at least twelve years of my preaching, I was an actual unbeliever. I was at that time completely convinced that Jesus in his discourses had accommodated himself to the conceptions and even the prejudices of the Jews. But this opinion led me to the conclusion that I must *in like manner* bear myself discreetly towards the popular doctrine. I have never been able to feel myself at liberty to attack the article of the Godhead and Atonement of Jesus, because I was aware from Church history and my own experience of other men that, from the earliest period of Christianity, this doctrine had brought consolation and amendment to millions of men; and I adopted the habit of even using it, wherever the subject allowed, in its application to morality and the love of God and man, although I was not myself convinced of its truth. I could wish that, even though you should be unable to satisfy yourself of the legitimacy of this procedure, you would at least abstain from ever publicly attacking that doctrine" (vol. i. p. 89).

Not less illustrative are the following words on Fritz's sermons:

"Far be it from my wish to recommend Blair to you on his *declamatory* side; which, as even Mr. Sack [the translator] points out, is so very marked in the fifth sermon of the first volume. But this very instance shows us, on the one hand, that where conviction fails, declamation must take its place; and on the other, what great precaution he took not to infringe the established rule of doctrine. And this appears to me to be every Christian preacher's duty; in cases where he cannot believe in the objective truth of the type of doctrine accepted by him, nevertheless to hold himself bound to lay before his hearers what is subjective truth to them, as consistently as he can with reason, Scripture, and the end in view—their comfort, their progress in good, and their hope for the future" (vol. i. p. 118).

Of his misery in reading these guilty words Fritz is silent: what could he do, poor youth, but hold his peace, and give them no response? The light they threw on all that he had undergone was something dreadful. So the very doubts for which he had been bruised and cast out had all the while no terrors for the old man at all,—were even in his eyes signs of deeper insight, and a reflection of his own experience; not past experience only, but evidently present too! While the college years continued the father still wore,—to his son as to his soldiers,—the mask of orthodoxy: but now that the student had passed into the preacher, and by safe initiation had become "one of us," he was evidently deemed fit "to know good and evil," and the chaplain's secret was revealed. The profound moral insensibility with which the confession is made seems to us more revolting than the hypocrisy itself. If it at all expresses the state

of mind which, by ecclesiastical standard, may coexist with personal and professional repute, it suggests a spiritual hollowness beneath the modern church, which, in spite of solemn pretensions and fair look, must make it the instrument of universal demoralisation. How much young Schleiermacher's own heart was burdened with this apprehension may be seen from the following account of a clerical assembly :

"On Wednesday was the Synodical Meeting of this diocese : and the Provost had the kindness to invite me to it : and it cost me nearly the whole day. The affair left on me nothing but melancholy impressions. Oh, dear friend, what it is to be so thrown among five-and-thirty clergymen ! Not that I was ashamed of being one myself : but with all my heart did I yearningly muse upon the time, no longer, I trust, so far distant, when that sort of thing will be unproducible. I shall not live to see it : but could I only contribute a little to bring it about ! Of the openly disreputable men among them I will say nothing ; and would even concede that some of that stamp must be expected among such a number, especially as long as the clerical income stands at a thousand dollars. But the universal degradation, the utter impenetrability towards every thing higher, the complete low-mindedness, rising no further than what the senses can appreciate ! Observe, I was undoubtedly the only person whose heart breathed out a sigh : for I went about sounding and trying so hard, that had another been there, I should surely have found him" (vol. i. p. 320).

With all its uncongenialities, however, the Christian preacher's office drew him with irresistible attraction. During the uncertain year which followed his departure from the Dohnas, he had temptations offered him to take-up the schoolmaster's life ; and was actually engaged as an assistant in the Friedrich-Werder Gymnasium at Berlin. But in the spring of 1794 he accepted an invitation as colleague to a retiring clergyman at Landsberg ; wept a few "literary tears" on leaving the capital ; became the fashion as preacher in his new position ; devoted himself diligently to the instruction of the young in his parish ; and began to earn the reputation which in 1796 brought him back to Berlin to occupy the pulpit of the Charité, and take his place among the rising celebrities of the capital. That crown to his hopes the father did not live to see. The old man, long harassed by the cares of his second family, and finding his "feathers all plucked," finally drooped, and lay down to die ere Fritz had been six months at Landsberg. The correspondence between them became increasingly affectionate to the end : and all the old man's better tastes and feelings seem to revive in the expanding life of his son : and we cannot help at last parting with him in peace, and being almost carried away by his children's scarce qualified expressions of reverence and love. Sister Charlotte



thenceforth succeeds to the paternal correspondence: but the loss of all the letters up to the autumn of 1797 transports us at once to a later stage. She is in her pious retirement at Gnadenfrei, full of such good affections and good works, full also of such morbid sufferings of body and mind, as are incident to a life with less in it of nature than of grace. He is in the social and literary stir of Berlin; already perhaps doing something to qualify the heathenism and scepticism of its intellectual tone; yet not without some traceable reaction of it on himself. Could we consult that good sister, she would say that Fritz's Christian baptism was never more nearly worn off than during the last few years of the century: her quick religious instinct evidently took alarm at the pictures he drew of his pursuits, his associates, his whole *entourage*: and after every allowance for her narrowness of view, we cannot but recognise a certain truth in her pure and simple perception. His mind, exposed to new and stimulating influences, was indeed rather enlarging its range than changing its centre: but when suddenly introduced to the world of art by the Schlegels and Tieck, and in his first deep captivity to Plato, and appealed to, at the opening of his poetic sense, by such a power as Goethe's, it is not wonderful if for a while his development was unequal, and needed other and deeper experiences to restore the balance. Precisely when his sentiment was receiving this richer colouring, he stood in presence of another influence likely in his case to become extreme. When men of pure, sensitive, and dependent nature are thrown out of a recluse life into the society of cultivated women, they are apt to be carried away by the surprise of a new and precious sympathy. They know not where to stop; and the more they are innocent of passion, the less have they of natural notice when the just limit of intimacy is reached. The tact which regulates these delicate relations cannot be extemporised by the clearest reason or the deepest sentiments: it is a complex product of natural feeling and of social experience: and so subtle is the play and so complete the fusion of their elements, that a counterfeit or a substitute is impossible. Schleiermacher brought into his first Berlin period no practised knowledge of men, a view of life purely ideal, a contempt for every thing conventional, and the kind of innocence which is ready to dispense with all but the inner securities of virtue. He was out of his element in the heavy, unsympathising, inapprehensive society of his own sex: he had not robustness enough for their noise, or sanguine pulse enough to compete with their animal spirits, or join in the rough hunt of their passion or ambition. In the companionship of cultivated women he found his inward life understood, the language of his susceptibilities interpreted; whilst the masculine force of

his nature was not overlooked from its spiritual quality; but the calm magnitude of his intellect, and the even courage and persistency of his will, rewarded him with that trust and allegiance which first completes the consciousness of manhood. The intimacies into which he was thus led were closer than the rule of usage would allow. As the first and most conspicuous of them was with a *Jewess*, it ran counter to every local prejudice, German and evangelical. The second had the additional element of being not only with a married lady, but with a lady not happily married: and Schleiermacher appears in the false position of doctrinally denouncing all such "merely external ties" as intrinsically null and void, and personally preoccupying the post of intending husband, should the law enable, and her choice determine her to exchange a formally for a really wedded life. The troubles incidental to this relation with Eleonore G. induced him to go into voluntary exile to Stolpe, where he resided as court-preacher for two years prior to his acceptance in 1804 of a Theological Chair and the University pulpit at Halle. During their separation, he honourably refused to make any secret about their correspondence: she found embarrassment from the arrival of his letters at home; and after long wavering, determined to break off all intercourse with him, and acquiesce in her lot. Here is the letter in which he reports the catastrophe to his Jewish friend, Henriette Herz:

"It is all over, dear Jette, she has given me up! She has done as you thought, and as I was not prepared to expect after all her expressions to me which had come since. It is well that I have written her the enclosed letter (which please send her) in my first and calmer mood. It is different with me now. Last night, when quite undressed and ready to get into bed, I stood for two hours with my arms resting on the table: it came over me in all its gall and bitterness. And she, poor thing, will yet have to hear what it is to me. She feels already that it is costing her her life, and she will die before long. I can wish outright that she may be the first to die: for, did she survive me, one of her repentances would come over her again. But she will have to make haste: for strain and sorrow will soon turn to poison in my case too. As yet I have thought little of myself: but a cold shudder seizes me when the thought comes. What is to become of me here? the ground is on fire under my feet. Then too I have a horror of the bachelor life,—no love,—no duty,—a mockery of God and men. I must betake myself to domestic life, must do my part in constituting a family and educating children. Here there is nothing of the sort for me. I sigh for Berlin; there I should find more advantages for even the wretched calling of the scholar,—yes, wretched enough it seems to me, if the root of love is not there, and the beloved of one's heart does not flit among the books and papers. If she does not shun you,—if she puts herself in your way,—dear Jette, as you love me, be affec-

tionate and gentle to her, take her to your heart, let her breathe out there her deep sufferings, and let her not feel for having made your friend unutterably miserable. Yes, dear Jette, when we meet and stand together on the rocks by the sea, you will have at your side a poor fellow who, but for you and a dear soul or two besides, would find all this upper air as desolate as that deep below. I can no more, dear friend; I break in pieces with sighs and tears. And alas, it is only morning! Still be my comfort and stay; stand by me as long as you can, come what may. Would that you might be something to her too, who will be a thousandfold more unhappy than I" (vol. i. p. 381).

Of his correspondence with Eleonore G. the editor has withheld a great deal. In the portion given we find nothing which in any way reconciles us to this kind of questionable and dangerous relation: and the theory and usages of married life which render it possible remain, even under Schleiermacher's pure and skilful management, conspicuously unsound and morally deteriorating. Say what he will, his nature does not move freely in these letters: they want determinate character: they speak neither a frank, gossipy, sympathising friendship; nor manly, healthful, joyous love. Their tenderness makes you nervous and anxious; their tone is not *respectful*; their thought is not firm. In fact, we could not have listened with much satisfaction to our Court-preacher in those Stolpe days; and should decidedly have objected to call him in as spiritual counsellor in some of the most momentous problems of human life. The coterie into which he had been thrown at Berlin seems to have had an unpleasant habit of criticising the married life of all their neighbours, and hitting what blots could be found or fancied. He dwells, with an emphasis quite false for English society, and, we should hope, for German too, on the rarity of a happy marriage. He lets his imagination try the experiment of unions that might have been; says, that if Henriette Herz had been at liberty for him, it would have made a decided matrimonial success; and avows that he often longs to mend the misadjustments of the world by exchange of wives and husbands among three or four pairs. It could not fail to appear like a practical comment on this indulgence of fancy, when, in their own immediate circle, Madame Veit, without divorce or legal separation, was withdrawn from her home by Friedrich Schlegel: and the distrust was sure to be deepened when his objectionable novel *Lucinde* was defended, under the influence of a generous illusion, in a special publication of Schleiermacher's.\* It is not surprising that a clergyman of doubtful orthodoxy found enemies to misconstrue so questionable a defiance of established moral guarantees; that his influential patron Sack remonstrated,

\* *Vertraute Briefe über Schlegel's Lucinde.*

and early advised him to withdraw from Berlin till he could recover himself and return into a different circle in a different mood; and that he had again and again to pacify the solicitudes of the good sister Charlotte, who plainly bore no good-will to those very superior Jewesses of the Thiergarten, trembled for the balance of Fritz's sensitive nature on such a tight-rope of social relations, and breathlessly wished him on *terra firma* again. That he may speak for himself, we subjoin a few of the words by which he sought to reassure her:

"You are afraid of my tender and intimate relations with persons of the other sex. I grant that in this you are quite right: there *is* something dangerous in it; and seen from a distance, where there is nothing to qualify the general impression, the danger looks greater than on the spot. To watch over myself in this matter is my continual care: I call myself to account about its most trivial particular; and so long as I do this, there is no need, I think, for me to break off any relation which on other grounds is of essential importance to me, which conduces to my culture, and is the source of various good. Thus in regard to B., I know that a very good influence has been exerted upon her, due just to the highly confidential friendship prevailing between us, which led her to open her heart unreservedly about every circumstance and every sentiment;—I refer to the *inward* influence, without taking at all into the account that opportunity was thus afforded me of being also outwardly serviceable to her in cases of difficult'y, where otherwise she would often perhaps have taken a wrong step. Henriette Herz's life is certainly quite different, calm and quiet, and with no such fear of shipwreck as in B.'s case: and I cannot therefore be of any such service in this instance. Her tone of feeling and character is also much firmer, so that she can be self-dependent and does not stand in need of me. Still in another respect I form an essential element in her existence: her views, her tone of sentiment, her insight, I can variously supplement, as she also does with mine. Nothing of the nature of passion can ever come between us; if put to the most decisive proof, on that point we stand quite beyond its reach. Set it not down to self-deception that I speak so confidently on this: I have qualified myself to do so by long experience and careful observation: and I believe, if you saw us together but for an hour, you would have the same conviction. I shall always attach myself more closely to women than to men: it lies very deep in my nature, dear Lotte; for there is so much in my tone of feeling that men seldom understand. Unless, therefore, I am to dispense with true friendship,—which surely you will be far from requiring,—I cannot help remaining in this otherwise dangerous position;—a position, however, which, occupied with this understanding, ceases to be really so dangerous" (vol. i. p. 212).

That Schleiermacher's personal self-reliance, in all these critical relations, was entirely justified, there cannot be a moment's doubt. If censure is due to him, it is for consulting too exclusively his own strength and his own needs, for some sentimental

relaxation of moral judgment in dealing with aberrations exemplified in a friend, and for tampering with ideal safeguards of human intercourse which nothing can replace.

In 1797 there was a select literary club in Berlin, called the Wednesday Society, where papers were read, and critical estimates made of new authors and new works. Here it was that Schleiermacher first met Friedrich Schlegel, and was filled with admiration at his originality, his wit, his impulsive openness, and the energy which had enabled him, at five-and-twenty, to amass an incredible store of knowledge. A friendship sprung up between the two men: they speedily resolved to live together: and here is a pleasant account, written to sister Charlotte, of the first days of the experiment,—perhaps the best portrait ever drawn of the younger Schlegel:

"It makes a glorious change in my existence to have Schlegel in the house. What a novelty for me, that by just opening the door I have a rational soul to talk with, that I have a 'good morning' to give and take the moment I wake, that I have some one opposite me at table, and some one to share, while it is on me, the good-humour I get into of an evening! Schlegel is usually up in the morning an hour before me, because my eyes cannot bear candle-light then, and I therefore contrive my night so as to have my sleep out not before half-past eight. He lies in bed, however, and reads; and it is the clink of his coffee-cup that usually wakes me. Then he can open the door as he lies that divides my sleeping closet from his room; and so we begin our morning chat. When I have had my breakfast, we work for some hours without taking any notice of one another: but in general we make a little break in the forenoon to eat an apple—having a common stock of the choicest sorts; talking over usually the subjects of our study. Then for the second batch of work till dinner at half-past one. I get my dinner, you know, from the Charité: Schlegel has his fetched from a restaurant. Whichever comes first we consume together; then the other; followed by a few glasses of wine; so that we spend something like an hour over our dinner. Of the afternoon no such definite account can be given. I must confess, alas, that usually I am the first to run off and the last to come home. Not that the half-day is wholly given up to social enjoyments: several times I attend lectures,—and also give some,—of course *privatissime*, only to a good friend or two: and it is only after this that I go where my fancy takes me. Coming home between ten and eleven in the evening, I find Schlegel still up, but apparently only waiting to bid me good night and be soon off to bed. That is my time, however, for setting to; and I generally go on working till near two o'clock: and between that and half-past eight one can get plenty of sleep. Our friends have been pleased to call this chumming of ours our marriage: they all agree that I must be the lady: and toss the matter about in all sorts of jest and earnest. A few times since Schlegel's arrival I have stayed the whole evening at home, and we have taken a snug tea together from seven to ten, and

fairly talked ourselves out over it. But I dare say you will want to know what I think of the man himself now that we are thrown together in this closest kind of acquaintance. I really do not know how much I have already told you about him : and so here goes for a bit of a sketch of him once for all. Intellectually he is so out-and-out my superior, that on this point I can speak of him only with great reverence. With what rapidity and depth he seizes the spirit of every science, every system, every author, with what high impartiality of criticism he assigns its place to each, in what a noble organic system all his attainments stand, redeeming his labours from chance-work and giving them the sequence of a great plan,—with what perseverance he follows up every thing which he has once begun,—all this I have for the first time learned fully to appreciate in the short interval since the opportunity has been given me of seeing, as it were, his ideas arise and grow. But doubtless you will be more curious about his tone of feeling and disposition than his intellect and genius. It is extremely childlike,—that is certainly the chief feature ; open and joyous, fresh in all his expressions, a deadly enemy of all fuss and forms, vehement in his wishes and inclinations, generally full of goodwill, but, as children are apt to be, a little suspicious and prone to antipathies of various kinds. His character at present is not so fixed, or his opinions of men and things so definite, but that he would be easy to guide by any one to whom he had once given his confidence. What I must say, however, I miss in him is the tender feeling and fine sense for the winning trifles of life, and the delicate expression of refined sentiment, through which small things often reveal the whole temperament of the soul. Just as he prefers books of large print, he likes men too of features great and strong. The merely tender and beautiful does not enchain him much, because from the analogy of his own disposition he is too apt to think every thing weak which does not look fiery and strong. However little this peculiar want in him abates my love for him, it makes it impossible for me to reveal to him and render intelligible not a few sides of my nature. He will be always on a larger scale than I : but I shall get to apprehend and know him more completely than he will me. His outer man is more striking than handsome. A figure not exactly graceful or well filled-in, but yet strong-built and vigorous, a very characteristic head, a pale face, very dark hair cut short round the head without powder or curling,—a dress of no great elegance, but smart and gentlemanlike ; there you have the outer presentment of my better half for the time being" (vol. i. p. 176).

The friendship thus enthusiastically commenced was not destined to be a life-long affair. The little speck of uncongeniality already visible in the foregoing sketch slowly spread and deepened, till it ate into the heart of the relation, and brought it into a consumptive state. Schlegel was wayward and exacting, and grew jealous of the hours spent with Henriette Herz. His reckless, dashing ways raised scandals which severely taxed the forbearance of his friend ; first the lamentable Veit affair ; then,



notorious insolvency, not without evasions which "in any other man would certainly have been dishonesties," but, we suppose, were something more ornamental in him; till at last intimacy with him incurred the misgivings of all one's friends, and could be maintained only by way of chivalrous fidelity. Nor was he always considerate of the frugal income of the preacher of the Charité. After he had quitted Berlin, he would pop in for a day or two as guest at the old quarters; remain for weeks; and with his many wants and spoiled ways consume the whole bag of dollars which had been getting heavy for sister Charlotte. But perhaps the crowning vexation was the discovery that "his perseverance" was altogether an illusion. It was he who first projected the translation of Plato, which in the end Schleiermacher executed alone. It was to have been a joint affair; the agreement with Frommann the publisher was made in Schlegel's name; the work was divided between them: but Schlegel's part is not forthcoming; he proves fertile chiefly in original critical discoveries,—such as that the Symposium is not genuine! and after procrastination adequate to exhaust the patience of a German bookseller (and what more can we say?), the task is intrusted to Schleiermacher single-handed, just four years from the first start. With this dissolution of partnership Schlegel for the most part disappears; his faults to the last too generously excused by his friend; who declares that, though repelled by a nature so passionate on the side of sense, he cannot help loving him more than he ever could love either Goethe or Schelling, with all their vast intellectual power.

It was during his Schlegel period at Berlin, that he prepared, anonymously, his celebrated *Discourses on Religion*, and his *Monologues*. To those who know these remarkable works, it is highly interesting to trace in these letters the history of their growth; the devices for preserving the incognito; the anxieties about their emergence from the censor's office; and the first reception by the world. But as the interest turns on the significance of particular passages,—the tendency of an argument or the tone of a peroration,—we cannot avail ourselves of it without fuller notice of his works than consists with the exhibition of his life. Both books were received with the vehement feeling which marks a conscious crisis of tendency. They presented a religious rallying-point for the rising characteristics of the time,—characteristics which already found expression in the literary mysticism of Hardenberg, the absolute idealism of Schelling, the faith-philosophy of Jacobi, and the Romanticism of Tieck. The worn-out dogmatic systems and uncritical scripturalism of orthodox churches had not, indeed, been able to make effectual resistance to the encroachments of metaphysicians like Kant and

scholars like Michaelis and Eichhorn: but they still preserved a venerable look, and represented an absent sanctity, so long as there was nothing but French Deism or a Königsberg moralism or a Fichtean egoism to take their place. Till some positive direction could be impressed upon theology, things remained provisionally as they were;—with little belief and less comfort in the present, but nevertheless waiting for a “consolation” yet to come. The *Discourses* seemed to bring the advent near. They were deeply tinctured with a genuine piety,—the evidently ascendant feeling in a mind philosophically free and logically acute. Yet they pledged themselves to no traditional orthodoxy: they exposed the jejuneness of a self-reliant morality: they denounced the insufficiency of the so-called “Natural Religion:” they insisted on the consciousness of absolute dependence as fundamental and indestructible in our nature, and on the need of a positive religion in response to it: and they rested the claim of Christianity on the effectual answer it has given to the infinite yearnings of the human mind, and the realisation of spiritual fraternity it has afforded. It may be allowed that, in his reaction from a hard, external, Jewish Theism on the one hand, and a forensic drama of historical salvation on the other, Schleiermacher’s appeal to the mystic sense of Divine Immanence in the world incurred some danger of melting away the personality of both God and man: and his celebrated judgment against the doctrine of a *personal* immortality unambiguously indicates this tendency. But we must remember, in estimating him, to what a condition the notion of “Personality” had been reduced by both philosophers and divines, and ask ourselves whether, in the exercises of reverence and love, it was a thing to be got rid of as a limitation, or to be cherished as a glory. On the whole, few, we believe, will now deny that, in claiming an independent ground of religion, in delivering it from its contingent existence as a derivative inference of science, or a necessary sanction of morals, or a critical conclusion from testimony, Schleiermacher lifted it into a higher region, and restored to it its own. His later and more scientific writings,—especially his *Glaubens-Lehre*,—variously modified, defined, and completed his theory; and exhibit his genius in its ultimate depth and balance. But the *Discourses* were fit for the service of the hour. They had the brilliancy, originality, and breadth needful for intense impression. They were accordingly the signal for a new era in theology: and the impulse they commenced is still fresh and growing.

Some years after, he noticed, not without pain, the influence which his *Monologues* had exercised on the academic youth of the time: and in his chair at Halle found himself indebted to

them for a somewhat inconvenient reputation. Whether a temporary contact with Fichte,—just removed from his professorship and living privately in Berlin,—affected his mode of thought, we cannot say: but certain it is, that the tone of ethical pride and stoic self-assertion pervading this little book is much more in the spirit of the current philosophy than of his own religion. He sometimes says that he has “fits of genuine Christianity,” when he is conscious of being but a plant in the great soil of humanity, depending for spiritual life on the infinite elements. The *Monologues* must have been written in some interval between the fits: and when his maturer mind had settled deep in the Divine “sense of dependence,” they might well appear to him out of date. One friendship, however, they procured for him which opened a new chapter in his life. They had powerfully fascinated a young clergyman of the island of Rügen, Ehrenfried von Willich, and prepared him, on occasion of a casual meeting at Prenzlau in 1801, to rush at once into the most cordial relations with Schleiermacher. Willich, shortly afterwards appointed to a church in Stralsund, was an intelligent, honest, hearty friend. But, as usual with Schleiermacher, the intimacy passes on beyond its original object to settle with stronger attachment on the lady members of the same circle. Two orphan sisters of good family were Willich's neighbours in Rügen: the elder, Charlotte von Kathen, whose beauty and goodness have been celebrated by Arndt, was married and living on her inherited estate; and under her roof dwelt, or often stayed, the younger, Henriette von Mühlentfels, a simple, sprightly, affectionate girl of fourteen. There it was that Willich made her his own, and installed her at Stralsund as Predigerinn at the uneclesiastical age of sixteen. Willich's friends were Schleiermacher's friends: and during the Stolpe exile, the shadow that settled for him on Berlin was relieved and balanced by this Northern light upon Rügen. In the correspondence with these two sisters are found some of the choicest things in the volumes: his tone towards the elder being grave and almost reverential; towards the younger, in response to her fresh childlike confidence, at once bright and fatherly. The year (1804) of Willich's marriage was also that of Schleiermacher's removal to Halle; and the interchange of ideas and sympathies under conditions of life new to both gives a special warmth and vivacity to the letters of that period. It was in reference to the waning life of one of Charlotte von Kathen's children that the following words, comparing the two bitterest forms of bereavement, were written from Halle to one of her friends:

“A painful incident has much engaged me here of late. A young man from Berlin, much liked by me there, arrives here with his wife and all his children on a visit to her foster-parents and the companions

of her girlhood ;—for it was here she was brought up and he got to know and love her ; and whilst here, she dies. In him sorrow wears an aspect truly noble and sacred : and for want of any better word of comfort, I could only say that to see him thus made me wish I might be spared such loss as his till I had such strength. Surely it is sadder for husband to lose the wife of his heart than for mother a child. A child is but an offshoot of the plant living entire : but the wife !—the very crown of all, the innermost heart, whence the life is put forth of all that gives bloom and shade and fruit ! With her all is gone, and what remains can be nothing but memory,—a mere shadow-life. Yet daily and anxiously do I wish that our friend may yet be spared the deep sorrow which has so long seemed to impend. How much has she suffered, poor soul, since her letter, which gave hope that the darling child would recover ! and I still cannot give up the hope that appeared so sure. The first call to render back a child to earth and heaven,—to drop into the grave the vaticinations of the holiest love ;—it must indeed be a deep and rending sorrow" (vol. ii. p. 27).

But the correspondence soon begins to bear trace of other than private griefs. At the beginning of 1806 Schleiermacher, who has never yet had due investiture as University Preacher, finds his church suddenly turned over to commissariat officers, and stuffed full of corn and magazine stores : and it is only by threatening to accept a parish at Bremen that he stirs up the government to find him a place for the Academic public worship. In truth, Prussian statesmen had other work on hand than the fitting-up of even College-pulpits. The storm, long darkening in the West, was fast approaching : the arrogant dictation of Napoleon, after dragging the Berlin government into fruitless humiliation and dishonour, had at last become intolerable : and even the vacillating and reluctant king was constrained to consent to war. It fell suddenly on a country neither morally nor materially prepared ; corrupted by French influence, divided in counsels, insensible to its danger, and blinded with military conceit. Some months before the outbreak Schleiermacher endeavoured to prepare his Rügen friends for the impending crisis : writing to Charlotte von Kathen in June, he says :

"In what heart am I amid this warlike disquiet ? Ah, dear friend, I often think of you all with real anxiety and of your beautiful land. There has been ever-changing occasion to do so for several months. I have no longer any fear of a war between our two kings (Sweden and Prussia) : but there is ground for serious apprehension that the French now evacuating South Germany may turn against Sweden. In that case, dear friend, should your king resolve on a serious defence, be of good heart, and sacrifice all to gain all ; and all that you keep set down as gain. Make up your mind that individual escape, individual self-maintenance, is not to be thought of ; that the life of us all is rooted

in German freedom and nationality ; and that *that* is the stake. You would not choose,—would you?—to be spared any personal danger or suffering, with a certainty of seeing our generation to come given up to a baser slavery, and compelled by every device to receive inoculation from the low sentiment of a people corrupt to the core. Believe me, there awaits us, sooner or later, a general conflict, whose stake will be—our Religion, our character, our intellectual culture, no less than our external liberty and property ;—a conflict which must be encountered,—which is beyond the resources of kings with their hired troops,—which nations must fight out along with their kings,—which will unite people and princes in a nobler way than has been known for centuries ; and in which each of us,—ay, every soul,—must share as the common cause requires. . . . I breathe the thundery air, and wish that the storm would be quick and bring the crash : for as to its blowing over, the time, I am convinced, is past for that" (vol. ii. p. 63).

It is remarkable that in these noble words we have,—with one exception,—the first notice in Schleiermacher's letters of political affairs. The execution of Lewis XVI. had drawn from him in 1793 a characteristic expression of opinion : but, were that one exception removed, the reader could never know that the dates beneath his eye were those of the greatest events and intensest social fermentation of modern history. So much,—may we not say?—for living in a country where the citizens' politics are for the most part *done for them* ; and for corresponding chiefly with its ladies, for whom the State and such historical personalities remain uninteresting abstractions. Once roused, however, by the near crisis, Schleiermacher is equal to all demands :

"I exult," he says, September 15th, "in the inevitable war against the tyrants, and am well pleased at the courageous bearing which is general among troops and people here. We have a considerable corps in the neighbourhood. The king too is expected ; and then, it is hoped, a movement forward is to be made to engage the French, as soon as they turn up. I have often felt impelled to publish something political, could I but have found time for it. I often let fall things of the kind from the pulpit ; not at all in the style, however, that I hear from other preachers" (vol. ii. p. 67).

Within three weeks of the date of this letter, war was declared : within a month of it, the hopes it expressed were utterly crushed, and the tide of disaster rolled up to the very desk where it was written. On the 10th October fell the head of the national party, Prince Louis Ferdinand, at the battle of Saalfeld :—on the 14th, the strength of the Prussian monarchy was swept away at Auerstadt and Jena :—and next evening it was known at Halle that their town would be the next victim, unless the reserve could turn the French advance. The auto-

biography of Professor Steffens has already made us familiar with the incidents of the French occupancy of the town: here are some of the experiences of his friend and fellow-sufferer:

"The plundering was detestable enough, but still not so bad as one is apt to suppose that sort of thing. Immediately after the battle, several hussars, through the heedlessness of the people living on the ground-floor, forced their way into the house and up to our story. Steffens and Gass were there at the time. All three of us had to give up our watches,—Gass, his silver-money too (Steffens had come to the end of his): there were only a few dollars of mine for them in the place; but they took all my shirts but five, and all the silver spoons but two. At the fight itself we had a narrow escape. Steffens came in the morning (of the 16th October), and bade us go with him to his house, if we had a mind to see an engagement. And there we had a very good view of the attack on the bridge. But when I observed that the Prussian cannon were dismounted, and that the position would be lost, I persuaded Steffens to come on to us, because his house would be too much exposed. We made as much haste as possible; but before Hannah and I had reached our street, there was firing in the town behind us, and Steffens, with his child in his arms, got almost into the midst of the throng of retreating Prussians and advancing French. During the following days, I had a dreadful nuisance of quartering to endure; and so had the hostesses of our lodgings,—poor girls, with a couple of old aunts, and nothing in their purse: so that I was in fear of the soldiers' brutality, and we spent a night all together in most inconvenient style in Konopack's rooms. After this some officers and soldiers of the guard came into the house; and, for two nights, I was myself obliged, from want of further space below, to accommodate in my large room a secretary and two *employés* at head-quarters. The officers quartered below frightened the lodging-house keepers with the most dreadful reports of sacking and firing the town, and gave us quite a tragic-comic night. But a storm, almost as bad, had actually burst upon us already the evening before, viz. the decree for the dispersion of the students. Let me, for the moment, look at this only on the economic side, in order to give you an idea of our position. If peace is made soon, it is highly improbable that Halle will continue Prussian. If it becomes Saxon, the University may be extinguished; or, if it even remains, my remaining will be out of the question, because they are so rigidly Lutheran in Saxony. If it falls to the lot of a French prince, I should on no account choose to remain; but as long as there is yet a corner of Prussian territory, I would withdraw to it" (vol. ii. p. 69).

The "Hannah" mentioned in this passage was his half-sister, afterwards the wife of Arndt. He had brought her to live with him at Halle, and she shared with him the tedious months that followed. The University suspended, the salaries not paid, the government incapable, the capital in the hands of the enemy, the official classes cringing, and the whole country prostrate, what could a poor professor do, but use his enforced leisure in



keeping up his own spirit and his friends' against ignoble acquiescence or despair. And this assuredly he did. In spite of physical weakness, induced by want of sufficient fire, food, and wine, and in face of spies and traitors, he preached high-hearted political sermons, shirking nothing, and bating no breath that should flow strong from the Christian and the patriot.

In close sequence on his own privations, came anxieties about his northern friends. In November, the French occupied Hamburg. They meant to sweep on to Dantzic, and Stralsund lay between. Schleiermacher had counselled Willich to send his wife and child (a second was near) to Rügen in case of approaching siege. But, to provide also for the case of her not choosing to leave her husband, he had written cheerily to her, reporting the brave bearing and escapes of Steffens' wife and child, and assuring her that her motherhood would conciliate the soldiers' respect for her and hers. Stralsund was besieged in February; and on the 13th March his Henriette wrote thus to Schleiermacher:

"Dear, dear Schleier! my beloved friend, my father! O my God, my God! how am I to tell it you and you to hear it? Schleier, I am no longer the happy Jette, whose sacred blessings were your heart's delight. My dear Schleier, prepare to hear the uttermost of bitterness: the happy Jette is now a poor, afflicted, lone-weeping Jette. O my Schleier,—let it come out and be over,—the dreadful word;—my Ehrenfried, my fondly deeply loved Ehrenfried,—is with me no more:—he lives in another world! O Schleier, can you take it in? can you conceive that I have lived through it? I cannot understand it myself,—this calmness with which I have borne it, and shall bear it. How I long to open to you my whole heart! Yes, indeed, Schleier, you have cause enough to weep for me, but you may calm yourself again; God is with me in his strength; I do not faint or despair; I still live wholly in the feeling of *his* love and *mine*; he is ever in my heart; I love him with the entire capacity of my soul's power and yearning. O Schleier, in the midst of my sorrow there are yet blessed moments, when I vividly feel what a love ours was, and that surely this love is eternal, and it is impossible God can destroy it, for God himself is love. Schleier, I bear this life whilst nature will; for I have still work to do for the children,—his and mine: but, O God, with what longing, what foreshadowings of unutterable blessedness, do I gaze across into that world where he lives! What joy for me to die! Schleier,—shall I not find him again? O my God! I implore you, Schleier, by all that is dear to you and sacred, give me, if you can, the certain assurance of finding and knowing him again. Tell me your inmost faith on this, dear Schleier; oh, if it fails, I am undone. It is for this that I live, for this that I submissively and quietly endure,—this is the one only outlook that sheds a light on my dark life,—to find him again, to live for him again, to bless him again. O God, it cannot be;—it

cannot be destroyed, it is but interrupted. I can never be happy again without him. O Schleier, speak to my poor heart. Tell me what you believe. O if he too should be longing and trying to keep the remembrance of me, perhaps often hovering round me unseen! O how my poor heart is tossed hither and thither with surmises of hope and doubt! Yet no! the doubts are little more than passing thoughts: this I feel as eternal consolation that does not pass, our love was the divine reality, death cannot annihilate it. O my Schleier, how I long for you! You will be my comfort and stay: I feel such an inward trust in you; I shall tell you every thing that has come to me in this sad time. O Schleier, how you too will mourn over your dear faithful friend! Oh! how could I be so happy? with what delight, when I was beside him, did I look forward to the mother's joy again! now I shall have many a tear to shed over the little one's cradle. My Ehrenfried was ill only eight days of nervous fever: I was always hopeful; I thought it could not be: I nursed him with tenderest love, and he was ever so gentle and kind and affectionate. But oh, at last, for some days, the fever was so high, that he was no longer himself: bitter remembrance, yet not unmixed with sweetness! how in his delirium his love for me was ever breaking through! after the illness had quite obscured his reason, he still called me by sweet names. The last word which he said to me was when I asked him, 'You don't know your Jette still?' 'Yes, Jette, my sweet bride.' O Schleier, what meaning and what truth—his bride! that I am! and I will make myself worthy to be wholly united with him again,—to be wholly his own. Do you know when it is that I feel the grasp of the sorrow too bitterly? It is when I think,—'in that future the old things will go for nothing; whoever is worthiest of him will be nearest to him; and O, many of those who love him are worthier than I:' and when I think 'his soul is resolved back,—quite melted away in the great All,—the old is quite gone by, it will never come to recognition again,' O Schleier, this I cannot bear: O speak to me, dear, dear! Farewell, Schleier, I have so much to say to you, yet now perhaps it will be some time first. However, you will know from this how it is with me. I suffer much; but inward calm and outward composure never quite give way. Your Jette" (vol. ii. p. 82).

Did ever stricken soul more purely speak?—truly a cry "*de profundis*!" What a tone to break out of the noise of war! to think that siege can be set to such holy music! In such utterances of infinite sorrow and aspiration,—even in the instinctive shudder with which doubts are tried and dashed away,—there is an irresistible persuasiveness that no ingenuities of evidence or speculation can approach. The native affinities of human goodness,—the capacious thirst of human love,—are laid bare, and show the true measure of the life to which they belong. But how in such a moment, when every word may have so terrible a reality, shall Schleiermacher deal with these passionate questionings; and from a distance, upon the dumb paper, with-

out the modulating voice, soothe that poor spirit, that wants the *one* and dreads "the All"? Some only of his words can we find space to give:

"My poor dear child, could I but press thee in thy tears to my heart! I too have hot bitter tears to shed; and we would mingle them. Oh! to see so precious a happiness broken! You know how my heart clung to it. Yet you set me such a beautiful example. Your sorrow is so pure and holy; it has nothing which your father could wish otherwise. Let us count this sorrow among the highest treasures of our life, and love it as we do our departed, and with quiet sadness conform ourselves to the eternal and holy disposal of God. But you come to me and tell me I am to dissipate your doubts. It is only, however, the images of fancy in her hour of travail that you want me to confirm. Dear Jette, what can I say? Certainty is not given us as to what lies beyond this life. Mistake me not; certainty, I mean, for the imagination, which insists on seeing every thing in definite forms: but else is it supremely certain, and nothing would be certain if this were not, that there is no death, no extinction for the spirit. True it is, that in the personal life the spirit does not find its essence, but only makes its apparition,—to be renewed, we know not how: all here is beyond our knowledge; we can only imagine. But in your sacred sorrow let your loving pious fancy shape its visions freely, and forbid it not. For pious fancy it is, I know, and can never wish any thing which would be at variance with the eternal disposal of God: and so all that it paints will be true, if you only quietly let it be as it will. And so I can give you assurance that your love will for ever have what it desires. You surely cannot now wish that Ehrenfried,—O God, the dear name, how it comes to me, now that I write it!—you surely cannot wish that he should return into this life; because it would be contrary to the eternal plan, which every one prefers to any single and separate wish. For this present life your love covets no more than to bear him about in your heart, to keep his memory, his image, indelibly with you, as a most living and holy presence; and to let him live again in yourself, and anew in your sweet children,—that suffices you. For the future, you do not at present know what possibly or rightly would suffice you; because you know not the disposals there. But when once there, you will know them, and will then feel no more desire than now of any thing that would be at variance with them, and be just as sure of full and blessed content.

When your imagination brings before you the idea of a melting-away into the great All, let it not, dear child, lay on you any touch of bitter sorrow. Do but think of it as a merging not into death but into life, and that the highest life. It is indeed *that* after which we all strive in this life, only that we never reach it,—viz. to live simply in the divine whole to which we belong, and to put away from us the pretension to set up for ourselves, as if we could be our own. If he now is living in God, and you love him eternally in God as you loved and knew God in him, can you think of any thing sublimer and more glorious? Is not this the highest end of love, in comparison with which

every thing which clings only to the personal life and arises thence, is nothing? But when you call up before your thought new investitures of being, corresponding with those of the present life, and dream that while others are near your beloved, you may be far,—in this there is nothing, dear daughter; it is a mere spectre; and you must shun it. Love is assuredly the power that draws minds together,—the great eternal law of their nature. Is there, then, any one that loves him more than you? or any other that he loves more than he does you? Do you not belong to one another as segments of one life? Oh! as sure as my holy joy in your union is one of the dearest feelings of my heart, so it is with you, and to eternity nothing can ever come between you" (vol. ii. p. 84).

Whether Henriette's problem,—the problem of which thought and sorrow never tire,—was laid to rest for her by these careful words, remains untold. Scarcely were they in her hands before her heart was recalled to this world, yet not without the tincture of another, by the birth of her fatherless boy. Her artless, fresh, confiding letters are soon resumed; and they so lay open her whole nature at the feet of Schleiermacher, that we are hardly surprised to find his half-paternal sentiment towards her gradually changing into a tenderer affection. After the lapse of about a year and a half, he makes a summer journey to Rügen; and she engages herself to become his wife. He was just double her age:—on their marriage, in March 1809, she was twenty-one and he was forty:—but her sad experience had given a peculiar moral maturity: and the difference between them was perhaps no unfit balance to his great susceptibility and dependence on the side of the affections. An earlier, more equal, less protective relation, might have been less happy for his stability and force of character. The letters between them during the nine months prior to their marriage are too numerous for the general purpose of these volumes, and might advantageously have been thinned by the editor: especially as they were written at a time of deepest political anxiety; and the reader looks for allusions to public affairs with an eagerness which makes him impatient of lovers' diffuseness and iteration.

Of Schleiermacher's enumerated contingencies for Halle, the place experienced the worst. It was included within the new kingdom of Westphalia under Jerome Bonaparte. A form of prayer for the king and queen was issued and enjoined on the clergy for weekly use in the churches. Schleiermacher declined to compromise his nationality by obedience, and quitted Halle for Berlin. As soon as the insecure and miserable peace of the autumn of 1807 was concluded, the project began to be entertained of constituting a University in Berlin. This was one of

the measures devised by the heads of the patriotic party for rallying the national spirit and keeping alive the forces of German genius till an hour of opportunity should set them free: on this very account the king hesitated, and sycophants of the French party dissuaded. But Napoleon could not forbid a step which his own tyranny, in cancelling Halle and carving out Westphalia, had necessitated: and the enlightened counsels of William von Humboldt prevailed. Had the project fallen through, Schleiermacher, to whom it assigned professorial duties from the first, would have gone, on his marriage, to settle at Frankfurt.

The University was born in a time of sorrow; and could expect no festive years at first. From 1809 to 1813, the deepest political darkness brooded over Germany; and every Prussian conspicuous enough to be noticed by the jealousy of the French oppressor had to choose between open servility and tacit conspiracy. Schleiermacher was so well known to be in closest connection and sympathy with the band of men who had resolved on recovering a national life, that he had already, at an early period of the French occupancy, been marked and repi-manded for disaffection. In December 1808, he writes:

"I was intending to say plenty more to you: but what do you think intervenes? A carriage drives up: a French officer steps out, comes up here, and desires me to accompany him to Marshal Davoust. Two other gentlemen besides were seated in the carriage: and all that it came to was this; Davoust addressed us, saying that we were marked as hot-headed disturbers and so forth. To me the whole thing was very droll: I was obliged to play the part of interpreter for the others, and went through the character with all gravity. The others were people wholly unknown to me, in no way friends of mine. Lucky folks now-a-days are the quite unknown: and I owe my special honour to some stupid report about my preaching" (vol. ii. p. 178).

He continued, however, with quiet constancy, using both chair and pulpit in preparing for a worthier time; and without deluding himself with any hopes of speedy political regeneration: in September 1811 he writes to Charlotte von Kathen in Sweden:

"A dismal picture certainly does your whole condition present. Were it of any use to you, I would describe to you the aspect of things in many districts of our State, especially in Prussia,—a hundred times worse than with you. There is nothing for it but to give up all thought of outward well-being, and make up our mind that before improvement can begin on that side, we must go through the most frightful upturnings and desolations: and we must be content to provide for their effectual power and success when they come, by giving

right direction to the mind of our people. To this I address myself by every means at my command : how long I may be able to do it, God knows" (vol. ii. p. 259).

It was not till the spring of 1813, when the remnant of the last French army was straggling home from Russia, that the smothered fires of national hope broke out again, and the German powers were reunited in a common effort to relieve Europe of the scourge it had endured so long. In May, a French army having advanced on its way to Berlin as far as the road between Wittemberg and Torgau, the city, which the king intended to defend, was deemed unsafe; and Schleiermacher sent his wife and children (he had now a daughter of his own, in addition to the step-children) into Silesia to be out of the way. His letters to Henriette give a lively picture of the state of the city during the latter part of May and the greater part of June; at first in hourly expectation of the enemy's appearance; then in anxiety from uncertain rumours of great engagements; and finally, in half disappointment that even the successes of Bülow should have turned the tide another way. In a letter of May 15th he says :

"According to reports current to-day, an engagement is to be expected to-day or to-morrow between Bülow and the French that have crossed the Elbe, which will probably decide the approaching fate of Berlin. But do not be anxious about me, my love. The arrangements for defence will not have attained such forwardness as to enable us to do any thing here; and therefore the militia levies will probably only be called out in order to withdraw from the city. In such case that is what I shall do, and shall come to you quite easily. Only think, this morning I had just set to regularly at a sermon, when this report, which Twesten brought me, obliged me to jump up. Going into the city, I heard that the militia levies were to move out *en masse* to the Templar's Hill in the morning at half-past four. Imagine my horror at finding that I had not yet got any ammunition, and it was Sunday. No notice, however, had yet been received at our sectional office. So I run quickly to the head office, and find there is not a word of truth in the rumoured order. But I will take warning and to-morrow supply myself with the needful, that I may not be put to shame before my comrades" (vol. ii. p. 276).

On the next day but one he writes :

"To-day I have done up the house, paid off the people though keeping them still here, bought powder-flask and canteen, got Röder's green bag mended and packed, and my money changed for gold. My most important papers, your letters and Henriette Herz's packets, I have given to Pischon to keep. The linen and your books are in the cellar. This haste, my love, has been occasioned by unfavourable accounts which were spread this morning early. Bülow, it was said, was



under great pressure from superior force, and was in rapid retreat. Tranquillising reports from him have now come in this evening. There is nothing to fear, he believes, for Berlin: and he intends, on receiving reinforcements, to move in advance again and take the offensive. The excitable populace, by help of this report, has got over all difficulties, and it has grown in their hands almost into a victory" (vol. ii. p. 277).

During all this time of excitement Schleiermacher continued, —and he alone,—to give his University lectures, as well as to preach. The danger to the city passed away. The wife, who, after all, had been nearer the actual seat of war, obtained a pass from Scharnhorst and returned: and the correspondence ceased. Of the great events of the autumn and winter,—the battle of Leipzig, the crossing of the Rhine by the allies and the advance into France, there is unfortunately no notice. Indeed, the only grudge we have against Henriette is, that she spoiled Schleiermacher's letter-writing. He is no sooner married than an epistolary dumbness seizes him: and it is only when a journey separates him from Henriette that the post-office ever hears of him again. Nor can we say that even then any thing like the old faculty reappears: the light play of thought and the variegated colours of feeling are gone; and, except in one or two disquisitional letters, the preponderance of household prose becomes great. The period from the peace to his death, on the 12th February 1834, was by far the most important for his influence on the world, the time of his greatest academic activity, of his most scientific productions, of his highest ecclesiastical repute. But precisely of this period these volumes contain only the most meagre memorials, and give us nothing to say. It is well known that the establishment of Hegel and the rising influence of his school threw Schleiermacher painfully into the shade; and the strife of academic factions in Berlin somewhat embittered his latter days. Traces of this are to be found in the latter part of our second volume; and a certain shade of depression steals over us as we read, as if the light were beginning to burn dim and could no longer conquer the chill and sadness of the space around. When Arndt took the half-sister Nanni to wife in 1817, the good Charlotte exchanged Gnadenfrei for Berlin, and succeeded to her place. She died before her brother, in 1831: and of his departure it was left for Henriette to tell the tale;—how worthily of her and of him the following words will show: they were written as a memorial for her children:

"For twelve days your dear father had suffered from much hoarseness and cough, though looking, in spite of great paleness, bright and clear. Uneasy as we were, and much as we begged him to take more care of himself, he put aside all such suggestions with the assurance

that he felt perfectly well, that this affection was quite superficial and was of no radical consequence.

Thursday the 6th was the last evening spent in the quiet cheerfulness of the family circle. During Friday night the illness set in with a fearful attack of pains throughout the body (he had had, without mentioning it, a transient one like it the night before), so that your dear father declared he could not say where the pains were, but only that every fibre of him was torn with pain. His look was that of a dying man, and he very distinctly expressed his anticipation of death. I had at once sent for the physician, who found the case very critical, but succeeded in subduing this state after a few hours, so that he lay still and without pain in bed.

On Sunday a consultation was held of four physicians. On that day the inflammation rapidly became extreme in a few hours. He was bled twice within the day: the physicians still gave hope, but in a way which hardly left on the bystanders any doubt how matters really stood. I never left his bed. The children and friends who were within call in the adjacent room executed all commissions: for personal attendance on him I was sufficient; and I was enjoined to preserve the utmost quiet. I kept the injunction so conscientiously as to give no opening for a single precious word.

He often assured me he did not suffer so much as might appear. During the whole illness he was in a mood of clear gentle quietude, of exact compliance with every direction, without a sound of complaint or dissatisfaction,—kindly and patient, though serious and abstracted.

Early on Monday the physician found his pulse and features those of a dying man.

I here set down from memory the few precious words which I have been able to retain. Once he called me to his bedside and said: 'I suppose I am, properly speaking, in a condition oscillating between consciousness and unconsciousness (referring to his having taken opium, and in consequence dozing a good deal); but inwardly I experience the divinest moments; I cannot help thinking the deepest speculative thoughts, and these with me are completely one with the inmost religious feelings.' Once he raised his hand, saying with great solemnity,—'Here I light a flame of sacrifice.' Another time,—'To the children I bequeath the saying of St. John, "Love one another."' Again, another time,—'The good children, what a God's-blessing they are to us!' Again,—'I charge you, greet all my friends, and tell them how deeply I have loved them.' 'How I am enjoying the precious days of our silver wedding,—Hildchen's wedding,—I am quite going over it all here beforehand.' 'I should have been so glad to remain with you and the children.' And when I gave expression to my hope,—'Delude thyself not, dear love' (with the highest fervour), 'there is still much that is hard to understand.' He also desired to see the children; yet on my begging him to avoid every thing agitating, he relinquished the wish, and was satisfied that each should come just once into the room to bring something. Several times he asked who was in the next room: and when I mentioned the names of the dear friends and

said, 'They are with the children joining in silent prayer,' it seemed to give him pleasure.

On the last morning his suffering visibly increased. He complained of violent burning within, and the first and last sound of complaint broke from him, 'O Lord, my suffering is great.' The unmistakable features of death set in, the eye was unsteady, the death-struggle was there. He then put the two first fingers on the left eye, as he did when in deep reflection, and began to speak:

'I have never clung to the dead letter, and we have Jesus Christ's reconciling death, his body and his blood. But I have always believed, and I now still believe, that the Lord Jesus gave the Last Supper in water and wine.\*

During this he had raised himself up, his features began to kindle, his voice was clear and strong. He asked with a priestly solemnity, 'Are ye all one with me in this faith, that the Lord Jesus blessed the water also in the wine?'—to which we replied with a loud 'Yes.' 'Thus let us take the Lord's Supper,—you the wine, and I the water,' said he very solemnly; 'but about G.' (the sacristan) 'we must not mind. Quick! quick! let no one scruple about the form.' When what was needful had been fetched,—we meanwhile waiting with him in solemn silence,—he began, in prelude to the act of celebration, to utter some words of prayer, with features transfigured and eyes in which a marvellous brilliancy was reflected on us,—the glow, indeed, of a glorified love as he gazed at us. Then he gave the bread first to me, next to each one else that was there, and lastly he took it himself, uttering aloud in every instance the institutive words, 'Take and eat,' &c.: so loud, indeed, did he speak as to be clearly heard by all the children, who knelt listening at the door of the next room.

In the same way he handed the wine, uttering the institutive words at length; and finally took the water, after again repeating the words to himself as well. Then, 'By these words of Scripture I abide; they are the foundation of my faith.' When he had uttered the blessing, his eyes turned once more in full affection upon me; then, 'In this love and communion we are one and remain one.' He laid himself back upon the pillow. The transfigured look rested on him still. In a few minutes he said: 'Now can I too no longer abide here:' and then, 'Lay me in another position.' We laid him on his side. He drew a few breaths, and life was gone. Meanwhile all the children had come in and knelt round the bed. His eye gradually closed. How inadequate now is even memory to the reality of that tremendous moment!" (vol. ii. p. 482.)

\* Wine had been expressly forbidden him. And among the Jews, as among the ancients universally, wine, it is well known, was never used unmixed with water.

# ART. XI.—PRESENT ASPECTS OF PARLIAMENTARY REFORM.

*Thoughts on Parliamentary Reform.* By John Stuart Mill.

*A Plea for the Constitution.* By John Austin.

THE customs of publication place us on this occasion in an unusual difficulty. We wish to say something of the state of political circumstances, but even while we are writing those circumstances may change. We are particularly desirous of criticising the Reform Bill which has been proposed by the Government of Lord Derby; but it exactly happens that the fate of that Bill will be determined after the manuscript of this article leaves our hands, and before it can reach the eyes of our readers. While our paper is in the printer's hands, the House of Commons will decide for or against the second reading of the Bill. Few of the minor annoyances of authorship are more irritating. While we are criticising the measure, we are uncertain whether, before it can be read, our criticism may not be deprived of all its interest. If the Bill of Lord Derby should be rejected at the second reading, no one will care to read about its merits or demerits. It is difficult too to write on contemporary politics without making predictions; it is scarcely possible on so shifting a scene not to employ our knowledge of the past and present in anticipating the future. But now we must carefully abstain from so doing; our readers will have the advantage of a few critical days, and it would be folly for us to prophesy facts which they will *know*.

A Conservative Government has some advantages in legislating upon Reform. In the first place, they have peculiar facilities for carrying what they propose. A Liberal Government is in a difficulty. It is a Government, so to say, of Reformers; and whatever it proposes is exposed to the unfriendly criticism of the obstructive portion of the public, of the House of Commons, and of the House of Lords. Any measure Lord John Russell or Lord Palmerston may introduce into the Lower House, will inevitably be distrusted by the Upper House. Until it has actually obtained the assent of the latter, we shall never know whether important provisions may not be struck out, or modified, or counteracted; in the present unexcited state of the public mind any extreme measure would doubtless be rejected by the House of Lords as a whole. A measure proposed by a Prime Minister who is the leader of the Conservative party in the House of Lords, is exempted from this danger. Even, too, in the House of Commons itself there are many persons—many Liberal mem-

bers—whose interests are opposed to a reform in the representation. The more searching such a measure of reform may be, the greater will be the parliamentary distaste for it. The members for the nomination boroughs and for the corrupt boroughs will resist their disfranchisement by all fair means, and by many which are scarcely fair. If to the opposition excited by the selfish terrors of threatened interests we are to add the continual hostility of the Conservative party, the success of any measure must be dubious. The parliamentary position of the two parties is therefore singularly contrasted. A Whig proposition on Reform is a suggestion of possibilities; you never know that they will be more than possibilities. A Conservative proposition is an offer of concession from the party disposed to resist; if you think it right to accept that which they offer, you are sure at least that you can have it.

Until recently, moreover, the Conservative party enjoyed the great advantage of being unfettered by previous promises. Almost all Liberal members have on this subject a considerable number of old remembrances. They cannot but recall electioneering engagements, hustings questions—perhaps eloquent speeches of former times. The followers of Lord Derby were free. The utmost which they had undertaken was to consider the subject; they had never given their adhesion to any theory of representative government. The Liberals had uttered, perhaps without realising them, the loose maxims of democratic innovation. The Conservatives had never done so.

On the other hand, however, both these seeming advantages are, at least just now, neutralised by greater disadvantages. Not only had the Conservatives no pledges upon Reform, but they had no principles. A writer of conjectural history would find a pleasant subject in the possible deliberations of Lord Derby's cabinet. What vague things did not Mr. Disraeli propose! what minute things did not Mr. Henley object to! what happy jests had the Premier at every suggestion! We know that they had not concluded their deliberations till late in January; the principle of the Bill was an open question till that time. Some of our contemporaries have been scandalised at their tardiness; but we are rather astonished at their promptitude. Knowing how infinite the subject is, we appreciate the difficulty of inducing a cabinet of undefined opinions to agree upon it. Seriously, it is evident that legislation on a complicated half-understood subject demands a mature judgment and the anxious consideration of many years. To these the Conservatives can make no pretension; their reflections on Reform commenced but recently, and their conclusions cannot have been sanctioned by time.

Again, the state of the Reform question bears no analogy to that of the many other questions on which the Conservative party have been very useful in carrying measures which they had prevented others from carrying. Every one knows that the Jew Bill in very recent times, the Corn Act of 1846, Catholic Emancipation, were obtained in this manner. But on all these questions the state of national opinion was very simple. The public mind had conclusively decided on a definite proposition. The opinion of the nation had been instructed by years of searching discussion. The trial was over, and judgment had been given. The opinion of the nation on these points was strong, and it was *definite*. Far different, as we know, is the state of the Reform question. There is an agreement among statesmen that there shall be some Reform; the House of Commons is deeply pledged to take care that there shall be some; but there is no agreement what that reform shall be. The ends to be aimed at are as yet only beginning to be clear; the modes of realising those ends are still vaguely conceived, and have scarcely been discussed. A government which undertakes to propose a measure on a topic on which public opinion is so indefinite, undertakes a task of creation. It is for them by profound thought to shape vague principles into a distinct expression; it is for them by careful consideration to discover fitting machinery for embodying those principles. They must define the wishes of the public; they must clothe them in appropriate detail. On many points of the Reform question they might justly assume to go beyond the public mind; much that is unknown to the nation at large may be thoroughly known to them; the experience of parliamentary statesmen must give them a peculiar claim to be deferred to on the constitution of Parliament; those who have actually to prepare a measure on a subject so ramified will have to reject many general views which are at first sight plausible, and will discover the worthlessness of many expedients which at first sight seem excellent. Constructive legislation is always difficult, and it is rarely more difficult than on this subject. The problem of representative government is as yet only half solved; no nation has shown the world more than a very imperfect approximation to it. As soon as we see that such is the position of the question, its unsuitability to a government like Lord Derby's becomes apparent. A Conservative government cannot be expected to define principles which it disbelieves: it cannot shape ideas with which it does not sympathise: it cannot express notions which it but half comprehends. A Conservative government, as such, wishes to keep our fundamental institutions as they are; it cannot organise profound projects of fundamental innovation. Reformers may discover what reforms are expedient; it is their legitimate



task and characteristic function. The duty of the Conservative party is a duty of vigilance; their task is a task of criticism. They must watch that no false principle creeps into our legislation; that no fallacious arguments are left unanswered; that no expedients are selected which are inappropriate to the contemplated ends. No one can deny the necessity of such a labour; no thoughtful mind will make light of its difficulty, or depreciate its value. But on the very face it is the exact antithesis to a labour of construction; Conservative criticism is the obvious opposite to innovating creation. The Tory party may register the edicts of settled opinion, especially they may repeal existing statutes, for that requires no effort of creative mind; but we must not expect from them any original measures of comprehensive Reform; we must not ask the drag-chain of our constitution to begin to pull the wheels.

The complexity, moreover, of a subject like Parliamentary Reform especially demands that we should be sure of the *bona fides* of those who deal with it. The subject is naturally large; the moment we try to touch it with a practical object it runs into ramified detail. Nor in our case is this the worst. We are not legislating on a *tabula rasa*. The representative system of the country is an old, involved, puzzling machine. When a person proposes to touch it, we like to know from him exactly what he is wishing to do with it. We can only know this by what he tells us; and we therefore like to be sure that his avowed objects are his real objects. The Liberal party have at least a presumption in their favour. Missionaries are commonly sincere. Men rarely devote themselves to the pursuit of ends which they do not desire. At any rate, sincerity is more frequent among those who bear the burden and heat of the day than among those who enter into their labours. Recent converts are always distrusted. If confidence, according to the saying, is "of slow growth," the Conservatives must not expect it for their proposals of Reform. They may ask our attention; but they must expect our scrutiny.

If we consider the Bill which Lord Derby's Government has in fact proposed, it will seem to be a commentary on these remarks. In the first place, the measure has no defined object. There is no evidence that those who framed it did so with distinct principles in their minds: they had formed no clear notion of the present deficiencies in our representative system, and consequently they could not even apply their minds to the consideration of the best mode of amending those deficiencies. What will be agreeable to the House of Commons? what will Liberal members accept? what will country gentlemen endure? These were evidently the questions most prominent in the minds of those who drew the Bill. A Sybarite described a certain amusement

as "the next best thing to doing nothing." We should have expected that this would be the motto of a Conservative Reform Bill, and so we find it to be.

We showed in our last Number that there were four objects which a scheme of Reform should now be prepared to effect.

1. It should provide for the working classes an authorised mode of expressing their views and opinions, without intrusting them with the entire government of the country; it should give them, in a word, *some* members of Parliament, but not all the members.
2. It should abolish those boroughs which are notoriously corrupt or notoriously dependent.
3. It should endeavour to diminish the uniform character of the county constituencies, and in consequence, the sectarian character of county members. And lastly, it should give an additional voice in the legislature to those interests in the country which have grown rapidly since 1832.

The first of these objects the measure of Lord Derby's Government did not propose to accomplish at all; the framers had not grasped the idea on which its utility depends. The provisions which they suggested for enfranchising the working classes, whatever may be their intrinsic value, have an entirely different scope. There are different estimates of the number of persons who would be newly enfranchised by a 60*l.* savings-bank qualification. Sir Benjamin Hall proved, at least to his own satisfaction, that it would give a vote only to one person who did not already possess it in so large a town as Newport in Wales; others have conjectured that it would give votes to a fair number of such persons; but no one has attempted to show that it would give them the command of a single *constituency*. Its effect might be to grant the operatives a slight diffused influence in many constituencies; but it would not—it has never been contended that it would—grant them a representative. Lord Derby's measure, as a whole, showed no comprehension of the idea that the principle of class representation—the very principle on which he opposes democracy—involves the distinct representation of the most numerous class in the nation. Nor did the Conservative Bill even profess to aim at effecting our second object. It avowedly left the nomination boroughs and the corrupt boroughs very much as they stood. It withdrew a single member from some small boroughs which possess two; but upon what principle it did so was very indistinctly explained. Mr. Disraeli defended the small boroughs, in part upon very just grounds, though he impaired their correctness by characteristic exaggeration. But why the unfortunate places which return two members should be despoiled in preference to those which return one, he did not inform us. He gave an elaborate panegyric on them; he proved that they were good constituencies, and that they

returned the best members to Parliament who were returned by any kind of places; and then he proposed to take members from them. The notion of the Conservative Cabinet was one which may be observed in the more moderate Socialist writers,—the notion of mitigated confiscation. They think that, after all, it is not much harm to take a little from those who have a great deal. As these constituencies seemed rich in members, Mr. Disraeli proposed to take some from them; although he maintained that they elected excellent persons, and although, to balance the periods of an artificial rhetoric, he overstated their constitutional utility. Scrupulous consistency is not his *forte*. He diminished the elements he thought beneficial; but he retained the corrupt boroughs although corrupt, and the dependent boroughs although dependent.

The third and fourth objects which we specified were the only ones which the Conservative measure even aimed at accomplishing. It gave members to some large constituencies which have grown up entirely, or have much augmented, since the Reform Act of 1832; and so far there is nothing whatever to object to. We all admit that in some degree this is desirable. Lord Derby also proposed to liberalise the county constituencies by adopting the 10% occupation franchise; but he wished to mitigate its efficiency by an equivalent. We will not weary our readers by dwelling on the topic, which will be peculiarly tedious to them at the moment they will read these lines. They will just have heard more than they wish of 40s. freeholders in boroughs and in counties. All that we need observe is, that Lord Derby impaired the effect of the most important provisions in his Bill by excluding from the counties an element which tends at present to liberalise them, and by introducing into the boroughs an element which possibly might augment the power of the territorial interest.

As the Conservative measure does not endeavour to effect our first two objects, and only professes to strengthen the Liberal element where we have shown that it needs strengthening at the heavy price of a counterbalancing equivalent, it is not unnatural that we should hope that Lord Derby will be unsuccessful.

Such, indeed, is both our hope and our anticipation. In addition to the defects of detail that are apparent in the Conservative measure, there is an objection of principle to it. We should have been much puzzled three months ago to conjecture what the precise provisions of Lord Derby's proposition would be; but we should have had great confidence on one point,—we should have thought we could predict in one respect that which they would *not be*. Mr. Bright made an oratorical tour to convince the public that uniformity in a representative system was an obvious advantage, and non-uniformity an obvious disadvantage.

Whatever temporary concessions Mr. Bright may make to existing institutions, he would not deny that his principle is one of equality, that all persons who have votes any where should have them every where, and that all constituencies should be equalised so that a vote should as far as possible have every where the same value. The Radical principle is an identity of franchise. We should have expected that Lord Derby, who, according to his boast, and according to the traditional *arcana* of his party, desires to "stem the tide of democracy," would have denied this principle in theory, and would not have tried to extend it in practice. For such a policy he would have had unanswerable grounds of argument, and tempting grounds of Conservative precedent. The notion of uniformity dates from 1832, and it is a Whig notion. Lord Derby may have personal recollections of that time which may attach him to it, but his party have only a tradition of antipathy to it. A criticism on the machinery of the Act of 1832 would have come with natural propriety from the constitutional representatives of those who opposed it. On the contrary, however, the Conservative party, under the guidance of leaders whose parliamentary abilities far exceed their legislative judgment, have endeavoured to extend the principle of identity. An unflinching democrat, if there be such a person in this country, could not but smile at the concession of a principle which inevitably leads to the deduction he desires. Mr. Disraeli confesses it to be absurd that a 10*l.* occupier in one place should not have a vote, and that a 10*l.* occupier in another place should have a vote. "The mental qualifications of the two," he would say, "are presumably the same. I agree with you, they should have the same amount of power." Mr. Bright inevitably replies, that if that be the case, the two ought to have an equal share in the return of their respective representatives. They *cannot* otherwise have the same power. Is this true of a voter for Tavistock and a voter for Manchester, of a voter for Maldon and a voter for the West Riding of Yorkshire? The only answer to the Radical arguments which is tenable in theory, or which dictates effectual arrangements in practice,—whatever form it may take in statement,—whatever complexities it may suggest for possible institutions, ultimately resolves itself into a plea for electoral dissimilarities; and this in two ways. If you wish all classes to be represented in the legislature, you must not permit all the members of the legislature to be elected by a uniform process. *A variety of representation involves a variety of constituencies.* From similar trees we shall have similar fruits. Again, if the more educated class is to preponderate in the legislature, it must also preponderate in *most* electoral bodies; if the less educated class is to have an authorised representation

at all, it must preponderate in a few. The majority of constituencies ought to be contrasted with the minority. Uniformity *per se* is therefore a conclusive objection to a representative organisation. Why should A, it is asked, have a vote here for a 10*l.* occupation qualification, and B not have it there? why should C have great influence because he votes in a small borough with 200 electors, and D but little because he votes in a swarming borough with 5000? We reply, because by dissimilar groups of electors dissimilar persons will be elected, and because it is essential that dissimilar persons should be chosen in a heterogeneous and complicated country. The Conservatives, as a party, have now thrown away this kind of argument. Lord Stanley, indeed, attempted to defend the principle of uniformity on a technical ground. He told us that we should doubtless hereafter have to disfranchise many small boroughs; he seemed to confess that he would do so now if he had a parliamentary majority sufficient for the task; and that, in the event of a proposal for such an abolition, a uniform qualification would be a facility. If the qualification for the franchise were the same both in boroughs and counties, a disfranchised borough might be thrown into the adjacent county, and no one would lose his vote by the change; we should escape the popular objection to personal disfranchisement. But it is evident that the argument is unsound in two ways. *First*, under the most contracted system of franchise, the rights of existing electors in disfranchised boroughs might be transferred to the neighbouring counties (both in the Bill of Lord Derby and the Act of 1832 there are similar saving clauses for existing voters); and *secondly*, though no vote would be taken away by the annexation of borough to county, the electoral power of the borough voter would be almost destroyed. Before they alone elected one or perhaps two members; their voice was final: afterwards they will only have an infinitesimal share in the election of a county member; their votes will be lost in a crowd. It is both singular and unfortunate that the Conservative party should have surrendered a tenable principle, and relied on an untenable technicality.

We are aware that there is an attempt to establish a distinction between identity of franchise qualification in different places and identity in the numerical composition of the constituent bodies. But both have, in fact, the same grounds of defence and the same grounds of objection. There is an appearance of fairness in favour of both; there is the inevitable effect of a monotonous composition of the legislature to be alleged against both. Mr. Bright will do concise execution on the refinements of those who would establish a distinction. We scarcely expected the Conservative party to be bold enough to

propose the creation of new inequalities ; but we certainly could not have anticipated that they should be so blind to their true position, so unalive to their constitutional duties, as to propose to diminish those which exist.

We should be disposed to conclude the discussion of the measure of Lord Derby at this point, if it were not that one of the principal points of it which we deem objectionable has been defended by persons whose arguments are entitled to much attention. We know that a considerable number of moderate Liberals regard the existence of the nomination boroughs which remain, and even of the corrupt boroughs also, as important for constitutional reasons. And as we think this opinion to be not only erroneous in itself, but to be founded on an entirely mistaken view of the present and future working of the constitution of the country, we gladly seize an opportunity for its discussion.

The principal allegation in favour of such boroughs is, that their existence tends to augment the strength of the executive government. Before the Reform Act of 1832 we are told they had such an effect ; as their number was lessened by that Act, their influence was diminished ; but to a considerable extent they continue to produce the same effect. If we further diminish the number of such boroughs, we must expect that the influence of the administrative government, which has for some years been less than is desirable, will in consequence be even further impaired.

We will first deal with the case of nomination boroughs, and afterwards with that of the purchasable boroughs. It is evident that proprietary constituencies, as we may call them, can only tend to strengthen the executive government when the great majority of the proprietors are united, and when they choose to support the government. If the proprietors are divided in opinion, if one half aid the administration and the other half the opposition, their existence is in this respect of no avail. Now what is the security at the present time that the owners of constituencies will be united ? Other educated men are often divided in opinion ; why should not they be divided also ? As a fact, they are not united. In the present Parliament a Liberal sits for Calne, for Morpeth, and for Tavistock ; two Liberals sit for Malton ; but, on the other hand, two Conservatives sit for Stamford, a Conservative sits for Midhurst, and another for Woodstock. Even supposing the accusation first made by Mr. Croker, and repeated very often since, were proved,—even if it were proved that in 1832 the Whigs spared the close boroughs of their party, and disfranchised those of their opponents,—yet a temporary cause of this sort could not produce permanent effects. In a generation or two the politics of the proprietors of the boroughs



preserved would in all likelihood be different from one another and from those of their fathers. They would be divided in opinion as much as any other persons of the same rank and the same station.

In the last century, it is true, the borough proprietors were often united; and it is instructive to call to mind why they were so. In the early part of the eighteenth century the immense preponderance of parliamentary property adhered to the parliamentary settlement of the Crown: the great Whig families gave an energetic support to the House of Hanover, and the less powerful owners of seats did so also. The nation generally was in their favour; and the proprietors of boroughs shared in the prevailing opinion. Parliamentary property was naturally inclined to support a dynasty which *must* rule by means of Parliament than under one which might rule without it. When these feelings died away, there was very great difficulty in procuring the requisite union of parliamentary proprietors. The nation had no strong political opinion; and in consequence the owners of influence were subject to no natural attraction of cohesion. An artificial one had therefore to be provided. We laugh at the very names of the old sinecures; the Comptroller of the Pipe, the Board of Green Cloth, the Clerk of the Estreats. If a man wishes for amusing and yet not uninteresting reading, let him peruse Horace Walpole's memorandum respecting his income. We smile as if we were wiser than our fathers, as if these places without duties had no utility. They had, however, the greatest. These sinecures were the purchase-money of power. The dispenser of patronage had then in his gift a large number of lucrative situations, which could be filled by any one, however stupid, and conferred on any one, however obscure. By means of this currency of offices he was able to induce—moralists say to bribe—the owners of boroughs to support him. During the quiet years in the middle of the eighteenth century, much of the strength of the executive government was thus obtained. It afterwards ceased to be needed. When the French Revolution broke out, popular feeling revived: the English nation was united by the fear of democracy and the spirit of war, and the borough-owners were unanimous as well as others. In the end as well as in the beginning of the eighteenth century there was a legitimate bond of union among the possessors of influence; in the middle of the century there was only a corrupt one. We see from facts what theory might have prophesied to us, that nominative constituencies will only be arrayed in support of the government when the government has a sufficient equivalent to offer to the nominators, or when a strong national feeling combines the latter, as well as other persons, into energetic cohesion.

Now what likelihood is there that the first of these conditions will ever again exist in this country? The times of sinecure patronage are at an end, if any times are so. Only the other day the Lord-Chancellor could not appoint his son-in-law to a laborious post for which he was apparently well qualified, merely because there had been in legal circles a half-expressed understanding that the person selected for that post should be in actual practice at the bar. The effect has been to place the lunatics under the not unappropriate tutelage of Mr. Samuel Warren; and as we are in our senses, we do not quarrel with the result. We cite it to show how weak the power of patronage has become; it proves that strong interest and apparent competency will not prevail over a technical objection. How idle is it to suppose that in a country such as this a government will ever again be able to purchase the general support of many borough-proprietors! Moreover, a more general remark may be made. We may safely lay down that patronage-influence must considerably preponderate over popular influence, or the latter will soon altogether destroy the former. How unpopular every kind of patronage is we have lately seen, in the popular inclination in favour of conferring government appointments by competitive examination. The faith in examinations does not go deep into the English mind; but the hatred to jobbing does. When the machinery of borough-influence is distinctly presented to a nation, the antipathy it excites is certain to secure its abolition. People call it corruption, and the instincts of mankind are against it.

Borough-owners, therefore, will only be united when other people are united; and then of what use are they? When there is a strong popular feeling, popular constituencies will be unanimous. *Then* we do not need the combination of nomination-members, and in no one other case shall we obtain it. Even if the system of competitive examination were abandoned, the result would not in this respect be material. You cannot purchase the support of noble and wealthy borough-proprietors by petty places in the Customs and the Stamps. You require some offices of magnitude, which will suit their friends, family, and connections,—posts with large incomes and few duties; something like the ancient sinecures of many hundreds—not unfrequently thousands—per annum. These exist no longer; and if it be said that they are necessary to the existence of a popular government, we answer, that no government in which the popular element preponderates will ever endure them.

It is also alleged in behalf of nomination-boroughs that they give a means of introducing young men of ability into Parliament, who are often useful in subordinate official positions and sometimes become great statesmen. But this can only be

so when borough-proprietors have seats to spare; in the "good old times" this was the case, but nowadays how very rarely is such a use made of these constituencies! The nomination-boroughs, as we may satisfy ourselves by looking at the list of representatives for them, are almost monopolised by the personal connections of their proprietors.

Some of these remarks apply to the purchasable boroughs, but not perhaps all of them. These may in some measure tend to give strength to an administration. Probably we are trenching on the delicate mysteries of Sir William Hayter. We shall retain much patronage which is suitable to the wishes of influential constituents; we have still excisemen's places and custom-house places in moderate abundance. We have even adapted the competitive system to the wants of such persons; we give them the right of nominating the candidates, though we allow presumptive merit to decide which candidate shall fill the post. Such places are asked for more or less by most members of Parliament; but they are naturally most desired by the members for very small constituencies, where every vote is of great consequence, and where most of the voters have, through long temptation, become corruptible. The representatives of such boroughs, therefore, are naturally disposed, in the absence of better reasons, to support the Government. They will not desert their party; the local interests by which they were elected would not endure that; public decency, and perhaps conviction, forbid it; but when their party is in power they will support it if they can. Many of the members for purchasable boroughs, moreover, are old men of business, who have made much money, but who have no social position, and who get into Parliament to obtain one. Such persons are naturally much influenced by the social favours of which a discerning government is commonly lavish, and a dispirited opposition commonly sparing. So long as the aristocratic element is powerful in the composition of our cabinets, this social corruption will have daily and perceptible influence. The "snob in Parliament" is a subject we commend to Mr. Thackeray.

Although, therefore, we believe the general effect of the corrupt constituencies to be far more pernicious than that of the nomination-boroughs, we are constrained to admit that, in the particular quality for which the two are frequently praised, the former have the advantage. It will be evident, however, that some of the inducements we have mentioned will operate to a considerable extent on the members of all constituencies; there will always be some gravitation towards the dispenser of patronage, and it is not right to strengthen the inevitable tendency at the expense of demoralising small country towns by bribery and corruption.

But the real answer to all such arguments in the present day is a more generous as well as a more satisfactory one. We have drifted quite away from the system of the eighteenth century. We have suffered, as our ancestors suffered a century ago, from the dearth of political questions. There is now the same tendency as then to factious divisions, to selfish schisms, to feebleness in the executive. But our remedy is different. We can no longer, if we would, guide bad dispositions by bad motives; it is not for us to meet corruptibility with corruption. Nor do we require to do so. We have a political agent which our ancestors had not; we must bring public opinion to bear upon the topic. We must compel members of Parliament to support the best government which can from time to time be attained against factious opposition, against insidious motions, in spite of casual discrepancies of opinion, in spite of errors of detail. When we have had a sufficient trial of weak governments, we shall learn the advantage of strong ones. And ample experience shows that if the *nation* can be brought to think so, members of Parliament will think so also. So far from the walls of the legislature being too impervious to public opinion, they scarcely exclude the clamour of the hour. In this point of view, purchasable boroughs are a considerable disadvantage, and nomination-boroughs are a very great one. The effective check of public opinion is the check of the constituencies. Their voice will be heard in Parliament when no other voice can be heard there. But a borough proprietor is the constituency; you have no check upon him: public opinion has no means of reaching him; he will "do what he will with his own." The moral control of a purchased constituency likewise cannot be very powerful. If we examine the matter closely, we find that the dependent boroughs, and the corrupt boroughs also, to some extent weaken the regulating effect of national conviction, on which we must depend in future as the constitutional provision for strengthening our executive.

Not only are these exceptional boroughs disadvantageous in the exact mode in which they are alleged to be beneficial, but they have a dangerous result of peculiar importance at this moment. Their indefensible qualities bring disgrace on the small boroughs generally. When Mr. Bright wishes to cast reproach on the lesser constituencies, his uniform method is to indicate an instance in which Lord A. is all-powerful, or in which money is omnipotent. As was shown most evidently in 1832, the instincts of the English people are strongly opposed to sham elections by unreal electoral bodies. Neither Old Sarum nor Arundel will ever be agreeable to them. Their instincts detest all that is fictitious. Accordingly, Mr. Bright's reproaches carry his audi-

ence with him ; and they forget to call to mind that many minor constituencies are independent of all proprietors, and have, where they are not too small, preserved during many years a remarkable incorruptibility. Few persons, indeed, until recently were alive to the constitutional importance of our smaller constituencies ; and even now their exact position, the exact mode of their utility, will bear a short exposition.

S. T. Coleridge is perhaps entitled more than any one else to the merit of the first distinct explanation of the true theory of representative government. We do not like to venture on a universal negative, but we believe that, before the publication of his *Church and State*, the general doctrine of Class Representation was never very clearly expressed. The great influence of that remarkable book, however, soon diffused it among a large number of disciples.

But the followers of Coleridge, and probably Coleridge himself, had a very imperfect view of the mode in which it is fitting to attain the results which he desired. A notion lurks in their speculations that it is possible for a provident legislator to measure the social influence of particular interests, and to apportion to them an exact *quantum* of corresponding representation. They believed that it was possible to compose a satisfactory legislature of class representatives only, and to insure the perfect working of that legislature by a proportionate allotment of members to classes. Their Parliament would have contained, "weaving class, five members; shipping interest, nine members; landed interest, twenty-seven members; and so on:" but they forgot to inform us what measure there was of the comparative influence of different interests, and how the precise apportionment of the respective representatives was to be made. Probably they would have admitted that they could not make it: they would have said that governments, especially constitutional "governments, are not made, but grow:" they would have expected the due adjustment to arise, not from the sudden *fiat* of a legislator, but from the gradual operation of a tentative experience. But if we consult history and see what has been actually achieved, we find that the course of experience has been different. There has never been in this country such a precise adjustment. The substantial preponderance in our legislature has for very many years been given to what cannot with any propriety be called a class or an interest,—to the general body of educated men, who have no special desires, no special prejudices—the mental mark of no peculiar calling. In some degree all classes contribute to this unclassifiable aggregate. In an assembly of bankers there will be the prejudices of bankers; merchants assembled together will have mercantile prejudices; hop-dealers, hop-prejudices: but

thrown with one another, involved in the general intercourse of society, they cease to have these prejudices. What commonly happens in youth, sometimes recurs in manhood. Each school has its prejudices, its petty feeling, its peculiar style of training, its course of reading, its set of questions; to its pupils these are all in all. But in after years the University teaches a different lesson: the narrow views of each mode of training are put off, modes of reading are compared, subjects which were neglected assume their due value in comparison with those which were cultivated. Similarly, many men in after life go away from the special littlenesses of their trades and professions into the great university of the world; they see its spectacle, they learn its teaching; to an excessive degree, perhaps, they think its thoughts. A proper system of representation gives the preponderance in Parliament to men of this kind. We are not saying that such a system should give a decisive influence to men of elaborate cultivation or recondite views; on the contrary, whatever is to rule in it must be plain, and simple, and tangible. All free governments live by popular discussion, and nothing will succeed in them which is not intelligible to ordinary men without extraordinary study. We are but maintaining that the ordinary, the average intelligence which rules in England is, the ordinary intelligence *minus* class-prejudices. The world has an influence far more diffused than what we call cultivation: it rubs off prejudices from those whom it leaves unrefined. It would be wearisome to observe how omnipotently this average neutral intelligence is represented in the press, in literature, in society: clever men pass their lives in laughing at it, and in obeying it. What we call public opinion is in fact the opinion of these moderately intelligent, moderately instructed persons, purged of class-prejudices, purified from casual interests. We showed on a recent occasion at length how completely the opinion of Parliament is in accordance with this ordinary and average opinion. The accordance is mainly preserved by the existence of the small boroughs, which are tolerably independent and tolerably uncorrupt. No exact distribution of members to classes has ever been made, nor is such an attempt suitable to the plain and rough practicality of this country. But what is possible has been done. An immense provision has been made of constituencies without definite character, without characteristic prejudice. The members for these are infinitely various; but they are alike—a few singular cases excepted—in possessing the average intelligence we have described. Care has been taken to give a due voice, a due means of expression, to every class and every interest (save one); but a critical and impartial audience has been provided for all these voices. Such has been the happy result of ages



of experience. We object to nomination-boroughs, and to petty purchasable boroughs, because they bring reproach upon this remarkable mechanism; and we object to Lord Derby's Bill because it carefully preserves these unpopular unrealities.

But, we shall be asked, if we wish Lord Derby's Bill to fail, do we imagine that there is any chance of a Bill that is better? We have stated the objects which we wish to see attained. Is it likely that a new measure introduced by a new administration, or a new edition of Lord Derby's Bill so altered and amended as to be substantially a new work, would accomplish these objects, or would even endeavour to accomplish them? Before answering this question we must take the liberty of making a few general observations.

In the first place, the recent debates on the Reform Bill show that the legislative mind, if we may use such an expression, has made great progress on the subject. In former times the subject was one of factious passion, of party struggle, and confusing agitation. We do not say that these elements have ceased to operate even now; far from it, we know that their influence has been exceedingly powerful; and we believe that so long as England is a free country constitutional questions will, as a rule, excite more disturbing passions than other questions. But if we refer to any previous constitutional debate, we shall hardly find there so much of candour, of sincere speaking, of attentive thought, as we have recently observed in the debate on the resolution of Lord John Russell.

We are aware that this opinion will not meet with universal assent. We have read some, and have heard very much, criticism on the speeches of individual statesmen, and on the general tone of the late discussion, of which the tendency is quite the reverse. The more thoughtful politicians of private life are especially disposed to speak thus. Nothing has been said on the recent debate which is new to them: there is scarcely a remark in all the speeches that have been delivered which persons familiar with the subject have not heard a thousand times; which does not, even when true, tease them by its familiarity. Such persons are naturally impatient with a discussion which enlightens them on nothing, and which at the best only reiterates what they know. They are angry at its commonplaceness, and will not be cheerful because of the multitude of its errors.

The mistake of such persons is a general one. It is wrong on a great question like the present to expect original speculation from parliamentary statesmen. Two causes concur to make it unlikely that we should ever obtain it from them. In the first place, a statesman in such government is powerful only in so far as he is *agreed with*. He requires to have a party at

his back. He is bound by the traditions and the convictions of that party. He is limited by their obtuseness, and hampered by their sluggishness. He can only lead whither he will be followed. The more fundamental the question under discussion, the more is this the case. On isolated questions, on casual questions, on temporary questions,—on a war with China, on a treaty with Japan,—a statesman may hope to carry his followers along with him. His opinion may be deferred to: his judgment may alter their judgment. On such topics, in fact, the privates of every political party scarcely *have* an opinion. They follow their general. But with what we may call *chronic* questions of constitutional policy, this absolute surrender of individual judgment is not possible. Each party in the state has every now and then to consider it; has a fixed notion about it, fixed antipathies respecting it, a traditional mode of dealing with it. No leader can change these altogether: in the most extreme cases he can only modify them a little. Nothing proves this so conclusively as the history of the periods when the leaders of the House of Commons had the greatest power. Mr. Pitt was omnipotent, or nearly so, for many purposes—on subsidies, and armaments, and expeditions—on all the topics of detail his majority was irresistible and secure. But on Parliamentary Reform, on Catholic Emancipation, even upon the abolition of the Slave Trade, he was powerless. Even in the times of strict party organisation, the controlling power of a leader on constitutional points was very limited. If he ventured to be *original* on permanent questions of evident interest, his strength departed from him. Of course this tendency is much augmented now that the days of despotic leadership are passed away. Satirists say that this is a “half-thinking” age: it reflects a little on every question, and will not reflect more than a little upon any. Whatever may be the general truth of their observation, it has a parliamentary truth. Almost all the members of every party have some little notions on all questions; they have heard about them more or less, have considered them more or less, and have more or less fixed opinions about them: in consequence they will only obey a leader who, to a certain extent, coincides, or affects to coincide, with these opinions. He may be a little original in putting them together, in maturing clauses, in polishing detail; but this is all. Perhaps on no subject does a parliamentary leader meet so firm a phalanx of opposed opinion as the usually despotic leaders encountered on certain particular questions. There is scarcely such a prejudice on any practical question now as resisted the known wishes of both Mr. Pitt and Mr. Fox on Catholic Emancipation. On every subject, probably, a leader has some influence; but on none is

that influence very great. If he ventures to step beyond the charmed circle of acceptable plausibilities, the magic of his power ceases. This consideration alone would prevent our expecting any suggestion from parliamentary statesmen which was in itself new. Nothing is, or ever will seem, plausible to the mass of men except that with which they are familiar. New truth is in their eyes almost a contradiction in terms. Ideas must seem old before they will seem true.

Nor, secondly, is the inevitable life of parliamentary statesmen such as to cultivate the habit of intellectual originality. They are men of the world, and the world teaches caution. They are men of business, and all men of business hesitate at ingenious novelties. Moreover no man now rises to be a leading statesman, except under very peculiar circumstances, without a very long training in subordinate office. The greatest man must now begin the regular way and continue in the regular way. He will scarcely otherwise acquire the needful knowledge, and he will never otherwise acquire the reputation for knowledge. Habits of office are as essential to a parliamentary statesman as to a bureaucratic statesman: perhaps they are even more so. And no official habit is so necessary in a representative government as the habit of voting for the opinion of others. A lord of the treasury has not only, according to Mr. Canning's phrase, to cheer the ministers, but he has to vote for ministers. He must not only make a house, but endeavour to make a majority. Of course a subordinate official has, and can have, but an infinitesimal influence on the measures which are adopted. He is not first in his own department, and he only hears floating gossip about the other departments. The substantial policy of the administration is fixed by the cabinet; and his utmost hope is to be a member of the cabinet in ten years. In the mean time he resigns his independence of opinion and votes as he is enjoined. We do not say that subordinate official men often vote against their opinion. We do not believe it. There is a special provision of nature to preserve them from it. As they know that they will have to vote for what the cabinet decides upon, they abstain from thinking until the cabinet *has* decided;—and then there is little difficulty. A practised advocate learns to believe in his brief. A subordinate statesman in a popular government soon accepts the measures of his party. The pressure of circumstances is far greater upon him than upon the advocate, and the insensible bias is the same. No mode of life can be conceived more unfavourable to originality of thought.

As, therefore, from their peculiar circumstances, parliamentary statesmen are far less likely to originate new ideas, and are moreover disinclined to announce the new ideas which they have,

we must not be surprised if the debates of the House of Commons are barren of them. On such a subject as Parliamentary Reform we must be grateful for the truths which are spoken in Parliament. We must not be disheartened if many truths are as yet unspoken there.

Bearing in mind these important considerations, we think the tone of the recent debate an indication of improvement and a ground for hope. Several points of the greatest importance have been recognised by all, or almost all, of our public men; and some of these have never been so recognised before. We will hastily run over the list of these truths. 1st. It has been distinctly recognised, *altogether for the first time*, that the working classes have a claim to some power in the state, but have no claim to monopolise all the power. A cynical observer would perhaps accuse some speakers of affecting a regard for these classes which it is scarcely possible that they should feel. There has been a sudden competition between Liberals and Conservatives for the fame and profit of first recognising the rights of labour, and in consequence their recognition has been complete. In certain states of the public mind this competition might have been dangerous. There would have been a risk that the claims of the lower orders would have been exaggerated. So long as the principles of democracy were but little known to the middle classes in this country, this danger was formidable. The hasty zeal of Mr. Bright has, however, removed this difficulty; he has popularised the principles of democracy, and, if we may be pardoned for the phrase, has made them unpopular. So clearly has the voice of the nation spoken on this point, that no statesman has ventured, Sir James Graham perhaps excepted, on an adhesion to them. The recognition of the rights of the working classes has been general, and it has been warm; but it has also been duly limited.

We are aware of what those who view the recent deliberations of Parliament less favourably than we do, will on this point object. They will say that the difficulty which every body knows has been stated in Parliament; and that nothing has been done, or seriously attempted, towards the solution of that difficulty. Have we not, they will say, heard *ad nauseam* for months past that the lower orders are to have a share in the representation, but not all the representation? The question is, *how* the one is to be given them without giving them the other likewise; and on this point no statesman has thrown any light. We reply, that a representative government is, from the causes we have stated, a slowly moving machine. We have never before had an agreement among our statesmen on the nature of the problem; we now have this. In a little while we may have a satisfactory discussion on the mode of solving it.

Some indistinctness, we must however allow, still lurks about the ideas of several statesmen on one part of the subject. They appear to think that it is sufficient to give votes to the working classes, or to some of them. They do not perceive that this is useless to them, *as a class*, unless you give them some members also. This indistinctness is especially apparent on the Conservative side of the House, and we fear that the convenience of the leaders of the party was in part the cause of it. From the nature of the proposal which the Government of Lord Derby had to defend, it was not convenient to make this precise point too clear. None of the franchises which they had proposed could be relied on for giving parliamentary representatives to the working classes, and it was not therefore advisable to state that the object of the whole proceeding was to give them such representatives.

In truth, the difficulty of solving the problem is much increased by the mode in which the Government of Lord Derby seem to have considered it. They endeavoured to *select* from among the working classes the best electors that could be found there: they wished to give votes to the few *élite*, but not to the general body. And nothing can be objected to this aim, *if* our object is to improve the general constituency of the nation. *If* we believe that there are certain of the working classes so well instructed, so independent, so interested in politics, as to be good electors, wherever they may be found, we shall be right in giving them votes in all constituencies, and as such. But we shall not at all attain thereby the precise mode of expressing the sentiments of the entire class of operatives. The *élite* are almost by definition few: they live, for the most part, in towns where the middle classes are very numerous; they are scattered through all those towns. They are in consequence not numerous enough to be the preponderant element even in a single constituency. Besides, as we have had occasion to remark before, what are called the *élite* of a class are commonly those who are just beginning to rise above it. They are apt, in consequence, to look down on their own class. They are probably disposed to relinquish many notions which they formerly accepted. Though in intelligence and in property they are the highest of the class, they are perhaps the least *characteristic* portion of it. The principle of selection which Lord Derby's Government adopted, therefore, fails in two ways: because the electors selected are too few to ensure the election of the members they would wish; and because these electors would by no means always wish for the same members as most of their class.

On this point the Liberal party have shown a far greater distinctness of view than the Conservative party. Opposition reaches

with great accuracy the errors of the Government. It is the advantage of a constitutional government that the less one party in the state see any part of the truth, the more their opponents look at it,—the more, too, they speak of it. On the Liberal side of the House it was attempted to prove that the contemplated, or half contemplated, reduction of the franchise to an 8*l.* rental, or a 6*l.* rating, would throw the representation of some towns into the hands of the lower orders, and would keep the greater part of the towns effectually out of their hands. The difference in the value of house-property in large towns and in small towns, it was urged, would render a nominally uniform qualification practically very different, in different towns. House-rent, it was said, is highest in the large boroughs, where the working classes for the most part live: you may safely, therefore, lower the qualification to a point which will include the working classes in them, without being afraid that you will at the same time include them elsewhere. The answer to this is Sir E. Bulwer Lytton's phrase, "Prove your case." There is no doubt of the general fact that house-rent is higher in large towns than in small, and that the same qualification in figures does not represent the same precise *status* in the two. The constituency of the Tower Hamlets is certainly of a lower grade than that of a country town. But what the exact effect of any proposed reduction in the franchise qualification will be in the two respectively is a fact which can only be determined by inquiry. We do not *know* that a reduction to 8*l.* rental would any where include the characteristic part of the lower classes. Many of the best-informed persons deny that it will include more than some of the richest of them. Very few persons venture to say it will include a sufficient number to give them the command of a constituency.

It is quite necessary that we should not in such a matter decide hastily, or without the requisite information. If it were not a party question, or at least a constitutional question, there would be no chance of our so determining it. If it were a point of criminal legislation, or of social improvement, we should at once set to work to accumulate statistical *data*; we should combine them into elaborate tables; we should argue on them till competent inquirers were agreed upon all ascertainable facts. Why should we decide with inferior *data* on an essential element in our permanent constitution? Why should we then, and then only, act upon unproved presumptions?

The dangers of lowering the borough franchise have been often spoken of, and are well known. The greatest of these is the danger of the precedent: if we diminish the criterion from 10*l.* to 8*l.* this year, we may be obliged to lower it from 8*l.* to 6*l.* a year or so hence. We have begun to move down a de-



clivity, and we shall be puzzled to pause. But this danger of the future is not the only one. The evident evil of the present change is great. The reduction to 6*l.* rating, or 8*l.* rental, will not include the working classes probably in most boroughs, if it will include them in any; but it will reach a class which is not very fit for the franchise. The lowest part of the middle class are as uninstructed as the best of the lower, are much more straitened in their circumstances, and much less independent in their spirit. We do not know the whole effect of the diminution now proposed, but we may be certain that it will include in the ordinary country towns very many of the corruptible and the dependent. The worst of the middle class are intrinsically less desirable voters than the best of the lower; and the only reason for including one and not the other is, that the introduction of a few of the working class into the constituency of any town is likely, if any thing is likely, to excite the jealousy of the rest of that class. There is less danger in admitting a class with whom most persons who live by wages are not accustomed to compare themselves so immediately. Still the evil of adding to *all* the town constituencies a very imperfectly prepared class is certain and considerable.

We do not say that if it were shown that the contemplated reduction would give us a few members for the working classes, and a few only, it would be unadvisable to make that reduction; on the contrary, the effect of it would be so like that of the plan we ventured to suggest in our last Number, that we should perhaps be ready—if there were a strong feeling in favour of that reduction—to run the risks which have been pointed out. But we must be quite sure that by running the risk we shall obtain what we wish. At present the danger is certain, and the advantage dubious. We should ascertain the facts of the case before we listen to the course proposed to us.\*

We cannot mention at the length we should have wished the other conclusions which have been generally admitted by both Liberals and Conservatives during the late debate; but we may enumerate those that follow. The utility of the smaller boroughs, when untainted; the necessity of liberalising the county constituencies; the propriety of strengthening the present representation of the progressive part of the country,—these three principles are in some sort sanctioned by the measure of Lord Derby and the speeches which have been made in support of

\* In the event of its being proved that in certain of our very largest towns the representation of the working classes would be ensured by an 8*l.* franchise, we would suggest that the members for such towns should be as many as three, and the "minority principle," in some one of its forms, should be introduced there likewise. This would give two members to the lower orders, and one to the higher.

it; and they have been all of them recognised, more or less, by the leaders of the Liberal opposition.

We may also remark, as a most hopeful indication of the future course of Reform, that the Liberal party have pledged themselves to the principle of *variety* of suffrage qualification. Before the late debate they were half-pledged to the contrary by the Act of 1832; but now they are so no longer, their leaders have given a distinct adhesion to the opposite principle. We need not observe that the opinions of Reformers on Reform are particularly important. The Conservatives are pretty sure to let us keep what we have; if the innovating party is imbued with right principles, we need not fear any dangerous alteration in the present system of representation. What we have is tolerable; if those who endeavour to make it better know how, we may hope that it will be made better.

For these reasons, therefore, we are disposed to think that the course which the present discussion has taken is, on the whole, good. It is *better* than we had anticipated. But does this improvement in the tone of discussion make it probable that a good measure will be passed? We reply, that if we can have a little delay we shall, we believe, obtain a good measure, but that if there is no delay, much of what will be passed will be passed in uncertainty, and may probably be dangerous.

Lord Melbourne used to say that the only thing which thoroughly frightened him was the phrase, "*something* must be done." He thought that in that vague state of mind people generally did what was wrong. The Reform question is exactly in a state to exemplify the truth of the remark. A great many people, from questionable motives, wish to "huddle up" the question; a great many more are frightened by Mr. Bright, and will consent to any thing in order that agitation on the subject for a time may cease.

But what probability is there of really staying agitation except by a good measure,—by a measure which may be defended upon principle? We allow that agitation on the subject may rest for a year or two; for a few years,—a great space in the lives of old politicians,—it may be stayed; but what is that in the life of a nation? The last of the statesmen of 1832 may probably pass off the scene before we have a Reform agitation number three; but the danger to England will be the same notwithstanding. When, indeed, is agitation so little likely to be successful in rousing a democratic cry as now? We know that it is most difficult to do so just at present. A most able agitator has tried to rouse one, and has failed. The immediate prospects of the country are excellent. Trade is steady and improving; industry is profitable; every body is contented that ever will be

contented. If we are to have agitation, do not let us postpone it to a distant future, when disaffection may be loud, and industry unrewarded, and good sense puzzled, and misery madened. If we are to have monster meetings on the subject, let them be meetings of well-fed men. If a future agitation should fall on a time of suffering and depression, we cannot tell what the effect may be. So far from the terror of agitation inclining us to accept a hasty measure, we think the danger of a future agitation at a less satisfactory time one of the principal reasons for pausing now.

We do not believe that Mr. Bright would have greater success in a democratic tour this autumn than he had during the last. We believe he would have less. He will be less of a novelty. A generation had grown up which hardly remembered even the days of the League, to whom agitation was an attraction of itself. The gloss of novelty, at any rate, has been worn off now. Mr. Bright's friends will get tired of the subject, as other people are tired of it. And this is the more likely, because he has but few friends. What a contrast is his present following to that of the Anti-Corn-Law League! He may fill rooms as large; he may have a few audiences as "respectable" to listen to his orations. Idle people must be somewhere. But where are the large subscriptions, the disciplined organisations, the *air of business*, which were observable fourteen years ago? Every body knows now that Mr. Bright's oratory is a personal display, a fine exhibition of a peculiar mind; but of those who listen to him how many agree with him? How many will continue to listen to him if he continue to speak for a year or two?

In the Free-Trade struggle, too, the intelligence of the country was on the side of the agitators; but is that the case now? Can even the most prejudiced person deny that the real intelligence of the country is decidedly opposed to them? The more the subject is discussed, the more this will be apparent; and the more it is apparent the better. The only people who will gain by a hasty settlement of the question are those interested in the corrupt boroughs and the nomination-boroughs, which may thus escape for some short time the ruin which is sooner or later to involve them.

If, on the other hand, a hasty measure is now put together in a hurry, the education of the public mind on the subject will be stopped. We shall have no further accumulation of facts, no more reasonings, no more real reflection on the matter for some years. When the next agitation begins, we shall have again to learn the lesson we have just learned now; and we shall probably, as we have said, do so under circumstances much less favourable.

We therefore believe that we shall obtain a good measure of Parliamentary Reform if we can but gain a little delay; and in spite of the concurrence of the wishes of the interested and the fears of the timid, we hope that this delay may be conceded to us.

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[Reviewed in Article V.]

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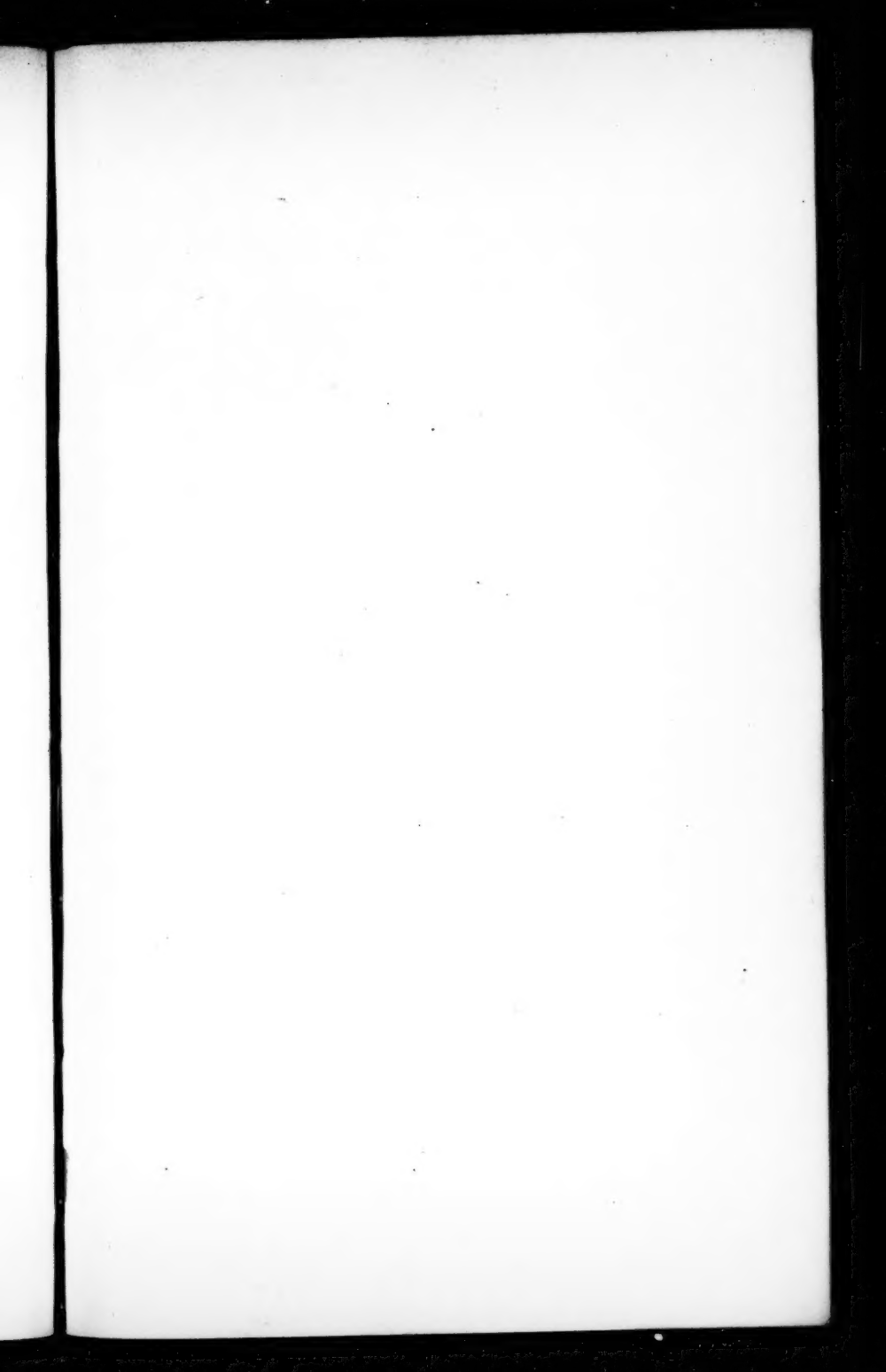
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